

BEFORE THE POWER SITING BOARD OF THE STATE OF OHIO

**In the Matter of the Letter of Notification Application** )  
**of Vectren Energy Delivery of Ohio, Inc. for a** )  
**Certificate of Environmental Compatibility and Public** ) **Case No. 19-0025-GA-BLN**  
**Need for the Line Z50E Pipeline Replacement** )

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 (Ohio Adm.Code) 4906-6.

Staff recommends the application for automatic approval February 21, 2019, 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 21, 2019, 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 Number:** 19-0025-GA-BLN  
**Project Name:** Line Z50E Pipeline Replacement  
**Project Location:** Greene and Montgomery Counties  
**Applicant:** Vectren Energy Delivery of Ohio, Inc.  
**Application Filing Date:** January 15, 2019  
**Filing Type:** Letter of Notification  
**Inspection Date:** January 23, 2019  
**Report Date:** February 14, 2019  
**Recommended Automatic Approval Date:** February 21, 2019  
**Applicant's Waiver Requests:** none  
**Staff Assigned:** E. Morrison and R. Holderbaum

### Summary of Staff Recommendations (see discussion below):

Application: ☐ Approval ☐ Disapproval ☒ Approval with Conditions

Waiver: ☐ Approval ☐ Disapproval ☒ Not Applicable

### Project Description

Vectren Energy Delivery of Ohio, Inc. (Applicant) proposes to construct a 1.2-mile long 20-inch diameter natural gas transmission pipeline in Greene and Montgomery counties. The proposed pipeline would replace approximately 6,336 feet of existing 16-inch natural gas pipeline. The proposed project would tap into the existing Memorial Station and tie back into the existing 16-inch pipeline west of State Route 4. The existing 50-foot permanent easement would be utilized for the majority of the project. A portion of the project that would cross the Mad River, State Route 4 and the railroad tracks would require new 50-foot permanent easements. Twenty-five-foot temporary construction easements would be acquired where necessary. The Applicant plans to remove the retired pipeline where possible. The pipeline would be installed using a combination of open cut, conventional drilling, and horizontal directional drilling methods. Construction would be expected to begin in March 2019 and conclude by December 2019. The Applicant estimates that the cost of this project would be \$10,500,000.

### Basis of Need

Due to the classification of "High Consequence Areas" along the existing pipeline, as defined by the Code of Federal Regulations, the Applicant is required to conduct integrity evaluations in accordance with Title 49, CFR 192, Subpart O, §192.921. To conduct an integrity evaluation of a pipeline, three methods may be used. Of those three methods, in-line inspection (ILI) is best suited for this segment of pipeline. Additionally, ILI is the overall preferred method of pipeline integrity evaluation. To make ILI possible for this pipeline, it is necessary to straighten the pipeline route

and to build appropriately sized ILI launchers/receivers in a suitable area. Without this project, some segments of pipeline would not be able to be evaluated with an ILI. Also without this project, an ILI launcher/receiver would need to be constructed at the Memorial Station located on Wright-Patterson Air Force Base. Due to the nature of the ILI procedure, this location would cause disruptions in the operation of the Base. The Applicant plans to locate the launchers/receivers in a more remote location away from the Base.

## **Nature of Impacts**

### *Land Use*

The project area is located in Greene and Montgomery counties, within the city of Dayton and Wright-Patterson Air Force Base. Land use associated with the project consists primarily of commercial, public utility, and military properties. The project also involves crossing the Mad River, State Route 4, and a railway. The project would not impact any agricultural land or agricultural district lands.

The Applicant conducted a cultural resources literature review to ascertain potential impacts to historic properties and archaeological sites. The review showed that adverse impacts to historical properties and archaeological sites are not expected. The Applicant supplied a copy of the review results to the Ohio Historic Preservation Office on September 17, 2018.

### *Surface Waters*

The project area would cross three perennial streams, including the Mad River. The Applicant has proposed to HDD under all streams. No in-water work is planned, and no permanent impacts are anticipated. The proposed disturbance area contains one category 2 wetland. The project would temporarily impact a total of 0.08 acre of wetlands. Wetland impacts would be covered by the U.S. Army Corps of Engineers Nationwide 12 permit. The Applicant stated that it will submit a Notice of Intent to the Ohio Environmental Protection Agency (Ohio EPA) for a General Permit OHCG00001, for stormwater discharges associated with construction activity from oil and gas linear transmission line and gathering line installation.

The project area contains two ponds, both of which are utilized for the City of Dayton's water supply. Neither pond would be crossed by the proposed pipeline. No impacts to the ponds would occur. Additionally, the project would not impact any 100-year floodplains.

Specifics about how surface waters would be further protected from indirect construction stormwater impacts using erosion and sedimentation controls are outlined in the Applicant's Stormwater Pollution Prevention Plan. Because the project would use horizontal directional drilling, Staff recommends that, prior to construction, the Applicant provide a frac-out contingency plan detailing monitoring, containment measures, cleanup, and restoration in the event of an inadvertent return. The Applicant would also need to obtain a General Permit from the Ohio EPA for Authorization to Discharge Hydrostatic Test water.

### *Threatened and Endangered Species*

Some tree clearing would be necessary within the proposed project area. The project is within the range of state and federal endangered Indiana bat (*Myotis sodalis*) and the state and federal threatened northern long-eared bat (*Myotis septentrionalis*). As tree roosting species in the summer months, the habitat of these species may be impacted by the project. The U.S. Fish and Wildlife

Service (USFWS) states in their coordination letter that the project is in the vicinity of multiple confirmed records of the Indiana bat and is in close proximity to a known Indiana bat maternity roost tree along the Mad River. In order to avoid impacts to the Indiana bat and northern long-eared bat, Staff recommends the Applicant adhere to seasonal tree cutting dates of October 1 through March 31 for all trees three inches or greater in diameter, unless coordination efforts with the Ohio Department of Natural Resources (ODNR) and the USFWS allows a different course of action.

The Applicant is currently coordinating with the ODNR for any additional state-listed species and/or suitable habitat that may be found in the project area. The Applicant would provide Staff with any comments from the ODNR review of the project and continue coordination with the ODNR and Staff based on the ODNR comments.

### **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 case on February 21, 2019, provided that the following conditions are satisfied.

### **Conditions:**

- (1) The Applicant shall contact Staff, the Ohio Department of Natural Resources (ODNR), and the U.S. Fish and Wildlife Service 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.
- (2) Prior to construction in areas that require permits, the Applicant shall obtain and comply with all applicable permits and authorizations as required by federal and state entities. Copies of such permits and authorizations, including all supporting documentation, shall be provided to Staff to ensure compliance with this condition.
- (3) The Applicant must provide a frac-out contingency plan to Staff and the Ohio Environmental Protection Agency (Ohio EPA) detailing monitoring, containment measures, cleanup, and restoration in the event of an inadvertent return. The Applicant would also need to obtain a General Permit from the Ohio EPA for Authorization to Discharge Hydrostatic Test water.
- (4) Prior to the commencement of construction, the Applicant shall obtain a coordination letter from the ODNR in regards to impacts to state and federal listed species and/or their suitable habitat, and shall provide a copy of the letter to Staff and coordinate with the ODNR and with Staff regarding compliance with the letter.

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

**Commission of Ohio Docketing Information System on**

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**Case No(s). 19-0025-GA-BLN**

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