

150 E. GAY STREET, 24TH FLOOR COLUMBUS, OH 43215-3192 TELEPHONE: (614) 744-2570 FACSIMILE: (844) 670-6009 http://www.dickinsonwright.com

CHRISTINE M.T. PIRIK
CPirik@dickinsonwright.com
(614) 591-5461

October 22, 2019

Ms. Tanowa Troupe, Secretary Ohio Power Siting Board Docketing Division 180 East Broad Street, 11th Floor Columbus, OH 43215

Re: Case Nos. 17-773-EL-BGN and 18-1360-EL-BGN

In the Matter of the Applications of Hardin Solar Energy LLC/Hardin Solar Energy II LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powered Electric Generation Facility in Hardin County, Ohio.

Compliance with Conditions 6 and 23, Case Nos. 17-773-EL-BGN and 18-1360-EL-BGN, Permits – County Road/Ditch Access, Upper Scioto Drainage and Conservancy District, and County Engineer Road Condition Report

Dear Ms. Troupe:

Hardin Solar Energy LLC/Hardin Solar Energy II LLC ("Applicant") is certified to construct a solar-powered electric generation facility in Hardin County, Ohio, in accordance with the orders issued by the Ohio Power Siting Board ("OPSB") in the above-referenced cases. By Entry issued May 16, 2019, the OPSB approved the merger of the certificates issued to Hardin Solar Energy LLC and Hardin Solar Energy II LLC, for a combined generating capacity of 320 megawatts ("MW").

At this time, the Applicant is filing the attached permits and approvals, including county road/ditch access permits, approval from the Upper Scioto Drainage and Conservancy District, and the County Engineer Road Condition Report in compliance with Conditions 6 and 23 of the OPSB's February 15, 2018 Order in Case No. 17-773-EL-BGN and May 16, 2019 Order in Case No. 18-1360-EL-BGN.

We are available, at your convenience, to answer any questions you may have.

Respectfully submitted,

/s/ Christine M.T. Pirik
Christine M.T. Pirik (0029759)
William V. Vorys (0093479)
Dickinson Wright PLLC
150 East Gay Street, Suite 2400
Columbus, Ohio 43215
Attorneys for Hardin Solar Energy LLC
/Hardin Solar Energy II LLC

cc: Jim O'Dell COLUMBUS 39579-24 125276v1

ARIZONA CALIFORNIA FLORIDA KENTUCKY MICHIGAN
NEVADA OHIO TENNESSEE TEXAS TORONTO WASHINGTON DC

Date:
Application is hereby made by: Hardin Solve Freign LLC (PO Box, Address, City, State, Zip Code) Application is hereby made by: Hardin Solve Freign LLC (PO Box, Address, City, State, Zip Code)
Project description: (Make complete statement of type of work to be done) According #1 and #2 as depended in Ex Of Location: Along/across County Road No. 10 in Havan Township. Work will commence on or about 9.16. 7019 and will require 120 days to complete. # 1: None # 2: Extend ex. 450 permitted
 I/We agree to the following conditions: Traffic will be maintained at all times, unless permission is granted by the County
Engineer to close the road.
 Utilities placed across/through the road may be directional bored or open cut. Cover depth shall be per manufacturers recommendations.
Disturbance to road surface and shoulders will be kept to a minimum and trenches will be
backfilled with gravel or stone and tamped, so that settlement of the material will be minimized. If settlement does occur, additional suitable materials will be put into place and compacted.
5. Lights, barricades, signs and, if necessary, flagmen and watchmen, will be placed on the job for the protection of traffic at all times, day and night, during the construction time. Instructions provided by the County Engineer's Department, as to the handling of traffic will be fully complied with.
Any drainage tile encountered will be repaired or replaced and any drainage problems
arising from this installation will be the responsibility of the applicant hereafter.
If, in the future, improvements or relocations are made to any of the above portions of County Roads, it will be the financial responsibility of the applicant or new owners to
move or relocate such installation at the request of the County.
8. I/We assume the responsibility for and will save the County harmless from any and all
claims for personal injuries and property damages, and shall defend any action that might be brought due to this work.
Page Dich Rocal No roca
$\frac{916/7019}{}$ Telephone: $+1 - 312 - 636 - 8479$
Permit to perform aforesaid work under the conditions of this application is hereby granted.
Date: 9/11/2019 Queus Q (melescococococococococococococococococococo
Applicant to notify the Hardin County Engineer's Office (419-674-2222) before starting construction.

Note: Upon request, a copy of this application accompanied by two sets of project plans, should be sent to the Hardin County Engineer's Office, 1040 W. Franklin St., Kenton, OH 43326

ANY WORK ALONG A TOWNSHIP ROAD MUST BE PERMITTED THROUGH THE TOWNSHIP(S) IN WHICH THE UTILITY IS TO BE INSTALLED.

APPLICATION FOR PERMIT CULVERT INSTALLATION IN COUNTY MAINTAINED DITCH

Date:
Application is hereby made by: Hardin Solar Energy LLC 1 South Wasker Drive, Snite 1800 Chicago, IL 60606 (PO Box, Address, City, State, Zip Code)
Project description: (Make complete statement of type of work to be done) Construction of Access # 2 as described in Ex OI attached West: None , East: Extend 96" by 24"
Location: Along/across Maintenance Ditch # 769 in Marion Township. Parcel # 282700010000, 282600010000 Specific Location: N: 369933.42, E: 1606736.55 (i.e. distance from property line, distance from landmark, etc.)
Work will commence on or about 9.16.2019 and will require 120 days to complete.
Hardin County Design Information Talbot's Formula $M = 1.969 \text{(acres)}$ $C = 0.2.5 \text{(runoff coefficient)}$
4" of rain/hour - 73.91 (ft ² opening)
 I/We agree to the following conditions: Culverts placed in the ditch shall be reinforced concrete, corrugated metal, smooth wall highway grade plastic, or cast iron. Cover depth shall be per manufactures recommendations. Installation of culverts shall follow manufactures recommendations. If headwalls are not used, large rock (riprap) shall be placed at the inlet and outlet of the culvert to prevent any erosion. Any drainage tile encountered will be repaired or replaced and any drainage problems arising from this installation will be the responsibility of the applicant hereafter. If, in the future, improvements or relocations are made to any of the above portions of the County Maintained Ditch, it will be the financial responsibility of the applicant or new owners to move or relocate such installation at the request of the County. If a culvert smaller than the above recommended 4" of rain/hour is used, water may backup on landowners upstream or water may flow over top of the culvert. Any damage to the culvert will be the applicant or new owner's responsibility to repair. Also, should the culvert at any time become an obstruction, the applicant or new owner may be obligated to remove it to provide adequate drainage for those upstream. I/We assume the responsibility for and will save the County harmless from any and all claims for personal injuries and property damages, and shall defend any action that might be brought due to this work.
Signed: By: Roger Nover Marge
Permit to perform aforesaid work under the conditions of this application is hereby granted.
Date: 9/11/2019 Lucus Physical Co. Eng.

***Applicant to notify the Hardin County Engineer's Office (419-674-2222) before starting construction.

Note: Upon request, a copy of this application accompanied by two sets of project plans, should be sent to the Hardin County Engineer's Office, 1040 W. Franklin St., Kenton, OH 43326

PERMIT IS FOR THE WORK ONLY. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO CONTACT ANY UTILITY COMPLANIES BEFORE DIGGING.

Date:	
Application is hereby made by: Hoden Ido Goog UC (PO Box, Address, City, State, Zip Code) Application is hereby made by: Hoden Ido Goog UC (PO Box, Address, City, State, Zip Code)	
Project description: (Make complete statement of type of work to be done) Contruction of Accoss #3 #4 #5 #8 or described in	#3: 12" required #4: Extend ex.
Location: Along/across County Road No. 170 in Monon Township. Work will commence on or about 9.16.2019 and will require 170 days to complete.	48" RCP
 I/We agree to the following conditions: Traffic will be maintained at all times, unless permission is granted by the County Engineer to close the road. Utilities placed across/through the road may be directional bored or open cut. Cover depth shall be per manufacturers recommendations. Disturbance to road surface and shoulders will be kept to a minimum and trenches will be backfilled with gravel or stone and tamped, so that settlement of the material will be minimized. If settlement does occur, additional suitable materials will be put into place and compacted. 	#5: Extend ex. 72" RCP Also permitte then Dunlap # #8:12" required
 Lights, barricades, signs and, if necessary, flagmen and watchmen, will be placed on the job for the protection of traffic at all times, day and night, during the construction time. Instructions provided by the County Engineer's Department, as to the handling of traffic will be fully complied with. Any drainage tile encountered will be repaired or replaced and any drainage problems arising from this installation will be the responsibility of the applicant hereafter. If, in the future, improvements or relocations are made to any of the above portions of County Roads, it will be the financial responsibility of the applicant or new owners to move or relocate such installation at the request of the County. I/We assume the responsibility for and will save the County harmless from any and all claims for personal injuries and property damages, and shall defend any action that might be brought due to this work. 	/
Signed: By: Requel Dista Project 1 976/2019 Telephone: +1-312-638-847	
Permit to perform aforesaid work under the conditions of this application is hereby granted. Date: 9/11/2019 Michael L. Smith, PE, PS, Hardin Co. Eng.)
Applicant to notify the Hardin County Engineer's Office (419-674-2222) before starting	

construction.

Note: Upon request, a copy of this application accompanied by two sets of project plans, should be sent to the Hardin County Engineer's Office, 1040 W. Franklin St., Kenton, OH 43326

ANY WORK ALONG A TOWNSHIP ROAD MUST BE PERMITTED THROUGH THE TOWNSHIP(S) IN WHICH THE UTILITY IS TO BE INSTALLED.

APPLICATION FOR PERMIT CULVERT INSTALLATION IN COUNTY MAINTAINED DITCH

Date:
Application is hereby made by: Hard'n Solar Energy LLC 1 South Wacker Drive, Snite 1800 Chicago, IL 60606 (PO Box, Address, City, State, Zip Code)
Project description: (Make complete statement of type of work to be done) Construction of Access # 5 as described in EX 02 1+teched West: Extend 72" by 21', East: Extend 72" by 17'
Location: Along/across Maintenance Ditch # 486 in Marion Township. Parcel # 28340010000 Specific Location: N: 364652, 80 E: 1601537.63 (i.e. distance from property line, distance from landmark, etc.)
Work will commence on or about 9. 16. 2019 and will require 120 days to complete.
Hardin County Design Information Talbot's Formula $M = \frac{1,210}{0.25} \text{(acres)}$ $C = 0.25 \text{(runoff coefficient)}$
4" of rain/hour - 51.29 (ft ² opening) 98 " (diameter - inch) 2" of rain/hour - 25.65 (ft ² opening) 99 " (diameter - inch) By: $\boxed{78}$
 I/We agree to the following conditions: Culverts placed in the ditch shall be reinforced concrete, corrugated metal, smooth wall highway grade plastic, or cast iron. Cover depth shall be per manufactures recommendations. Installation of culverts shall follow manufactures recommendations. If headwalls are not used, large rock (riprap) shall be placed at the inlet and outlet of the culvert to prevent any erosion. Any drainage tile encountered will be repaired or replaced and any drainage problems arising from this installation will be the responsibility of the applicant hereafter. If, in the future, improvements or relocations are made to any of the above portions of the County Maintained Ditch, it will be the financial responsibility of the applicant or new owners to move or relocate such installation at the request of the County. If a culvert smaller than the above recommended 4" of rain/hour is used, water may backup on landowners upstream or water may flow over top of the culvert. Any damage to the culvert will be the applicant or new owner's responsibility to repair. Also, should the culvert at any time become an obstruction, the applicant or new owner may be obligated to remove it to provide adequate drainage for those upstream. I/We assume the responsibility for and will save the County harmless from any and all claims for personal injuries and property damages, and shall defend any action that might be brought due to this work.
Signed: By: larger Dyt, Project Marage Telephone: H-312-638-8475.
Permit to perform aforesaid work under the conditions of this application is hereby granted.
Date: 9/11/2019 Sucard (undercoord) Michael L. Smith, PE, PS, Hardin Co. Eng.

***Applicant to notify the Hardin County Engineer's Office (419-674-2222) before starting construction.

Note: Upon request, a copy of this application accompanied by two sets of project plans, should be sent to the Hardin County Engineer's Office, 1040 W. Franklin St., Kenton, OH 43326

PERMIT IS FOR THE WORK ONLY. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO CONTACT ANY UTILITY COMPLANIES BEFORE DIGGING.

Date:
Application is hereby made by: Horder Side Energy UK 15 Wacher Awe Site 1800, Ch. Cogo, II, 60606 (PO Box, Address, City, State, Zip Code)
Project description: (Make complete statement of type of work to be done) Construction #6: 12" required of ACLESS #6 and #7 as described to the construction #7: 15" required
Location: Along/across County Road No. 130 in Harron Township. Work will commence on or about 4.16.209 and will require 120 days to complete.
 I/We agree to the following conditions: Traffic will be maintained at all times, unless permission is granted by the County Engineer to close the road. Utilities placed across/through the road may be directional bored or open cut. Cover depth shall be per manufacturers recommendations. Disturbance to road surface and shoulders will be kept to a minimum and trenches will be backfilled with gravel or stone and tamped, so that settlement of the material will be minimized. If settlement does occur, additional suitable materials will be put into place and compacted. Lights, barricades, signs and, if necessary, flagmen and watchmen, will be placed on the job for the protection of traffic at all times, day and night, during the construction time. Instructions provided by the County Engineer's Department, as to the handling of traffic will be fully complied with. Any drainage tile encountered will be repaired or replaced and any drainage problems arising from this installation will be the responsibility of the applicant hereafter. If, in the future, improvements or relocations are made to any of the above portions of County Roads, it will be the financial responsibility of the applicant or new owners to move or relocate such installation at the request of the County. I/We assume the responsibility for and will save the County harmless from any and all claims for personal injuries and property damages, and shall defend any action that might be brought due to this work.
Signed: By: Paguel With Project Marger 9/6/7019 Telephone: +1-312-638-8479
Permit to perform aforesaid work under the conditions of this application is hereby granted. Date: 9/11/2019

Applicant to notify the Hardin County Engineer's Office (419-674-2222) before starting construction.

Note: Upon request, a copy of this application accompanied by two sets of project plans, should be sent to the Hardin County Engineer's Office, 1040 W. Franklin St., Kenton, OH 43326

ANY WORK ALONG A TOWNSHIP ROAD MUST BE PERMITTED THROUGH THE TOWNSHIP(S) IN WHICH THE UTILITY IS TO BE INSTALLED.

Date:
Application is hereby made by: Hodin Ho tropy lle (PO Box, Address, City, State, Zip Code) (PO Box, Address, City, State, Zip Code)
Project description: (Make complete statement of type of work to be done) Road ad Carry litch was XUV & XUVIO XUVIO XMV 9 XMVII
Location: Along/across County Road No. 120 in Hora Township. Work will commence on or about 10.25-709 and will require 30 days to complete.
 I/We agree to the following conditions: Traffic will be maintained at all times, unless permission is granted by the County Engineer to close the road.
3. Utilities placed across/through the road may be directional bored or open cut. Cover depth shall be per manufacturers recommendations.
 Disturbance to road surface and shoulders will be kept to a minimum and trenches will be backfilled with gravel or stone and tamped, so that settlement of the material will be minimized. If settlement does occur, additional suitable materials will be put into place and compacted.
 Lights, barricades, signs and, if necessary, flagmen and watchmen, will be placed on the job for the protection of traffic at all times, day and night, during the construction time. Instructions provided by the County Engineer's Department, as to the handling of traffic
will be fully complied with.6. Any drainage tile encountered will be repaired or replaced and any drainage problems arising from this installation will be the responsibility of the applicant hereafter.
 7. If, in the future, improvements or relocations are made to any of the above portions of County Roads, it will be the financial responsibility of the applicant or new owners to move or relocate such installation at the request of the County.
 I/We assume the responsibility for and will save the County harmless from any and all claims for personal injuries and property damages, and shall defend any action that might be brought due to this-work.
Signed: By: Magrel Dit Roject Magre Telephone: 4-317-218-160)
Permit to perform aforesaid work under the conditions of this application is hereby granted.
Date: 10/9/2019 Live Julian Co. Eng.
Applicant to notify the Hardin County Engineer's Office (419-674-2222) before starting

construction.

Note: Upon request, a copy of this application accompanied by two sets of project plans, should be sent to the Hardin County Engineer's Office, 1040 W. Franklin St., Kenton, OH 43326

ANY WORK ALONG A TOWNSHIP ROAD MUST BE PERMITTED THROUGH THE TOWNSHIP(S) IN WHICH THE UTILITY IS TO BE INSTALLED.

Date:
Application is hereby made by: Hode Clot they UC (PO Box, Address, City, State, Zip Code)
Project description: (Make complete statement of type of work to be done) Road and Carlo ditch and Say XM VI6
Location: Along/across County Road No. 110 in Harmy Township. Work will commence on or about 10. 5. 2019 and will require 300 days to complete.
 I/We agree to the following conditions: Traffic will be maintained at all times, unless permission is granted by the County Engineer to close the road. Utilities placed across/through the road may be directional bored or open cut. Cover depth shall be per manufacturers recommendations. Disturbance to road surface and shoulders will be kept to a minimum and trenches will be backfilled with gravel or stone and tamped, so that settlement of the material will be minimized. If settlement does occur, additional suitable materials will be put into place and compacted. Lights, barricades, signs and, if necessary, flagmen and watchmen, will be placed on the job for the protection of traffic at all times, day and night, during the construction time. Instructions provided by the County Engineer's Department, as to the handling of traffic will be fully complied with. Any drainage tile encountered will be repaired or replaced and any drainage problems arising from this installation will be the responsibility of the applicant hereafter. If, in the future, improvements or relocations are made to any of the above portions of County Roads, it will be the financial responsibility of the applicant or new owners to move or relocate such installation at the request of the County. I/We assume the responsibility for and will save the County harmless from any and all claims for personal injuries and property damages, and shall defend any action that might be brought due to this work.
Signed: By: Nagrel Dit Project Hage Telephone: +1-3/2-258-1605
Permit to perform aforesaid work under the conditions of this application is hereby granted. Date: 16 9 Lo 19 Michael L. Smith, PE, PS, Hardin Co. Eng. Applicant to notify the Hardin County Engineer's Office (419-674-2222) before starting

Note: Upon request, a copy of this application accompanied by two sets of project plans, should be sent to the Hardin County Engineer's Office, 1040 W. Franklin St., Kenton, OH 43326

ANY WORK ALONG A TOWNSHIP ROAD MUST BE PERMITTED THROUGH THE TOWNSHIP(S) IN WHICH THE UTILITY IS TO BE INSTALLED.

Justa, Raquel

From: Lowery, Mark - NRCS-CD, Kenton, OH <Mark.Lowery@oh.nacdnet.net>

Sent: Tuesday, October 15, 2019 1:16 PM

To: Justa, Raquel; Jan Layman; 'Janice Shepherd'; Hardin Co. GIS (giscoord@co.hardin.oh.us)

Subject: RE: [EXTERNAL] RE: Hardin solar - boring under Sciotto river

Justa,

The Upper Scioto Drainage and Conservancy District Board has reviewed the proposed borings under the Scioto River and have no objections to the project. You have their approval.

If you have any questions let me know.

Thank you, Mark Lowery Hardin SWCD

From: Lowery, Mark - NRCS-CD, Kenton, OH Sent: Monday, October 14, 2019 4:05 PM To: Justa, Raquel <RJusta@invenergyllc.com>

Subject: RE: [EXTERNAL] RE: Hardin solar - boring under Sciotto river

Justa,

I will pass it along to the Director's and get back to you with any concerns.

Mark Lowery Hardin SWCD

From: Justa, Raquel < RJusta@invenergyllc.com > Sent: Monday, October 14, 2019 2:11 PM

To: Luke Underwood < ! Trent Bass <a href="mailto:luke-underwood-hce@windst

Cc: Lowery, Mark - NRCS-CD, Kenton, OH < <u>Mark.Lowery@oh.nacdnet.net</u>> **Subject:** RE: [EXTERNAL] RE: Hardin solar - boring under Sciotto river

Thank you Luke,

Your help is greatly appreciated.

Mark,

I would like to inform you of the bores planned under Sciotto river to bring the collection cable from the Hardin solar farm into the substation. In the attachment you may find details of the location and cross section of those bores. Please see references XMV1 through XMV6.

I would appreciate your confirmation and/or description of any step we have to take with your agency to perform these borings.

Our current schedule commences borings 10/25, hence your feedback before that date would be very helpful.

We have been working with the county for all permits under county roads and ditches, but I want to make sure the crossing under the river is as well documented.

Note that we have all our environmental permits with the Army Corps and Ohio Power Sitting Board in good standing for all the work. We are just seeking to inform your agency as well of these bores.

Thank you in advance,

Raquel Justa | Project Manager, Construction L: +1-312-638-8479 | C: +1-312-288-1605

From: Luke Underwood < lunderwood hce@windstream.net>

Sent: Monday, October 14, 2019 9:41 AM

To: Justa, Raquel <RJusta@invenergyllc.com>; 'Trent Bass' <tbass@co.hardin.oh.us>

Cc: 'Lowery, Mark - NRCS, Kenton, OH' < Mark.Lowery@oh.nacdnet.net >

Subject: [EXTERNAL] RE: Hardin solar - boring under Sciotto river

Raquel,

The Scioto River in Hardin County is maintained by the Scioto River Conservancy District.

I would recommend contacting Mark Lowery about what they will require for this bore. He works at the Hardin County Soil and Water Office.

His contact information is as follows: Email: Mark.Lowery@oh.nacdnet.net

Phone: (419) 673-0456

I have also CC'd him on this email.

Thank you,

Lucas J. Underwood, P.E., P.S.

Deputy Engineer Hardin County Engineer's Office 1040 West Franklin Street Kenton, Ohio 43326

Phone: (419) 674-2222 Fax: (419) 673-1232

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From: Justa, Raquel [mailto:RJusta@invenergyllc.com]

Sent: Monday, October 14, 2019 10:13 AM

To: Luke Underwood; Trent Bass

Subject: Hardin solar - boring under Sciotto river

Trent,

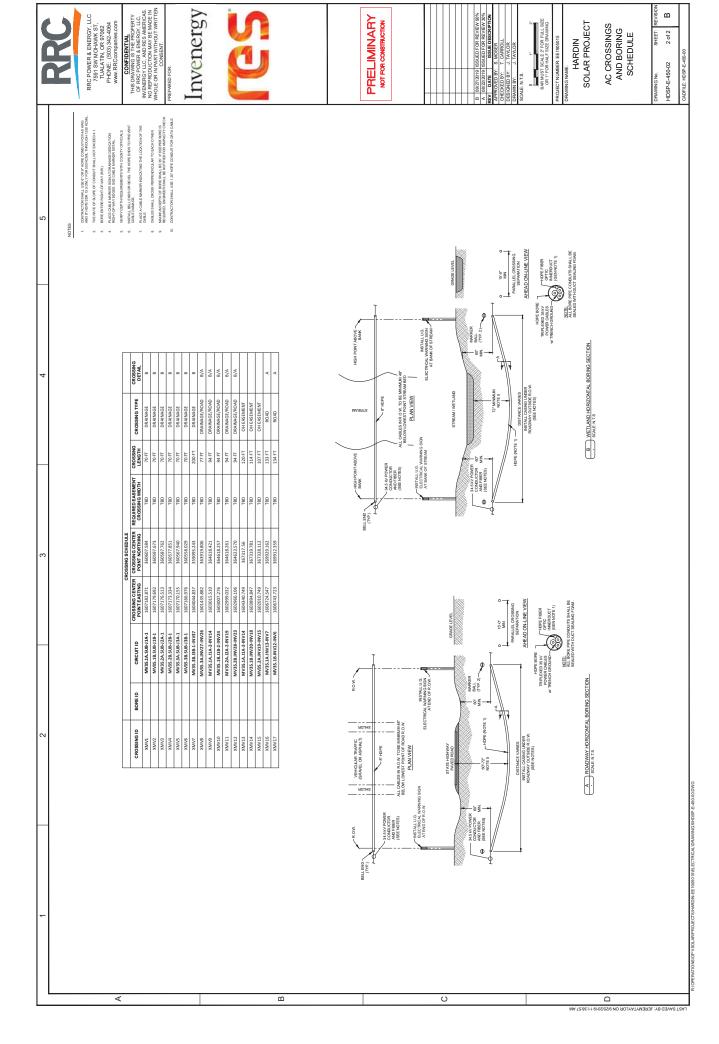
As part of our cable route to the substation, we will need to bore under Sciotto river. Is there any permit we need to get from the county to do so?

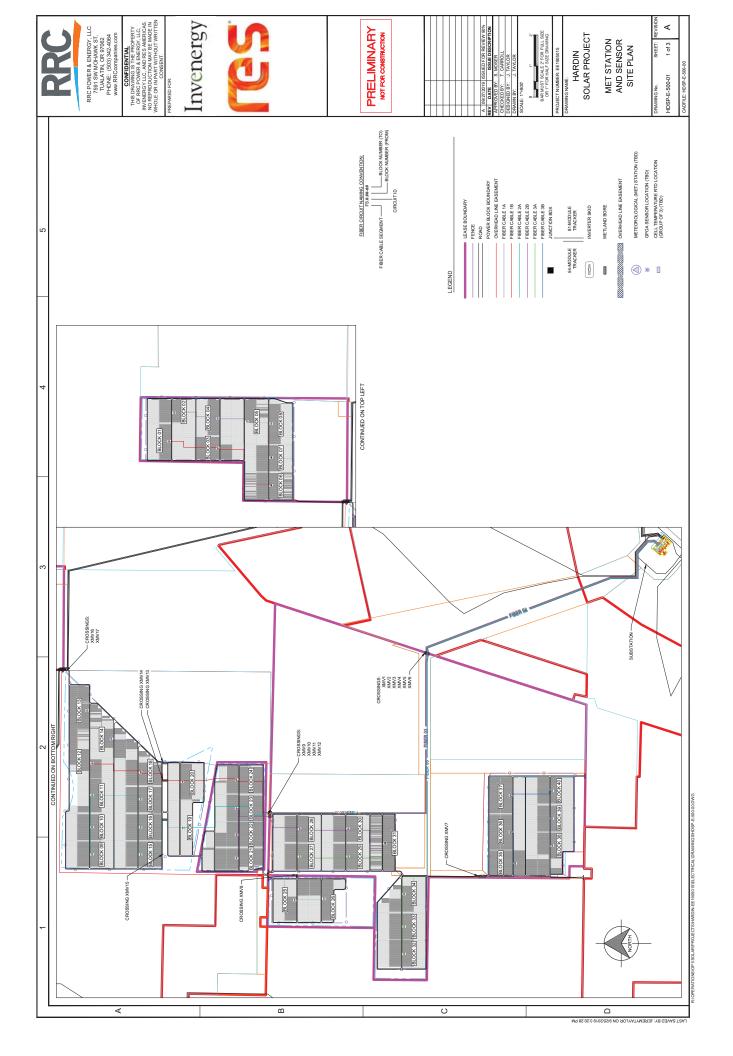
Thank you in advance,

Raquel Justa | Project Manager, Construction Invenergy | One South Wacker Drive, Suite 1800, Chicago, IL 60606 rjusta@invenergyllc.com | D +1-312-638-8479 | C +1-312-288-1605 | @InvenergyLLC

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HARDIN COUNTY ENGINEER

1040 W. Franklin St. Kenton, OH 43326

Phone: (419)-674-2222 Fax: (419)-673-1232

Email: hardineng@windstream.net



August 29, 2019

Raquel Justa Invenergy LLC One South Wacker Drive Suite 1800 Chicago, IL 60606

RE:

Road Conditions Report

Hardin Solar

Dear Ms. Justa:

I reviewed the Road Conditions Report, for the Hardin Solar Farm that was submitted on August 23, 2019. I feel that the report meets the requirements set forth in the Road Agreement for Solar Construction Projects. I feel that there could still be road failures that happen during construction and expect that these locations be addressed in a timely manner.

If you have any questions or require any additional information please feel free to contact me.

Sincerely

Lucas J. Underwood P.E., P.S.

Deputy County Engineer

Cc: Hardin County Commissioners, Marion Township

H:\Solar Farm\Road Condition Report acceptance.doc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/22/2019 10:26:28 AM

in

Case No(s). 17-0773-EL-BGN, 18-1360-EL-BGN

Summary: Notice of Compliance with Conditions 6 and 23, Permits – County Road/Ditch Access, Upper Scioto Drainage and Conservancy District, and County Engineer Road Condition Report electronically filed by Christine M.T. Pirik on behalf of Hardin Solar Energy II LLC and HARDIN SOLAR ENERGY LLC