

**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Application of Duke )  
Energy Ohio, Inc., for an Adjustment to ) Case No. 20-0053-GA-RDR  
Rider MGP Rates. )

In the Matter of the Application of Duke )  
Energy Ohio, Inc., for Tariff Approval. ) Case No. 20-0054-GA-ATA

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**DIRECT TESTIMONY OF**

**TODD L. BACHAND**

**ON BEHALF OF**

**DUKE ENERGY OHIO, INC.**

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March 31, 2020

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TLB-3: Summary of Costs Apportioned to Area West of the West Parcel and Ohio River

CONFIDENTIAL TLB-4: Haley & Aldrich Invoice IN00037560 for Groundwater Monitoring at the East End Site

CONFIDENTIAL TLB-5: Haley & Aldrich Invoice IN00039231 for Groundwater Monitoring at the East End Site

CONFIDENTIAL TLB-6: EMS Inc./HEPACO Invoice FY19-011531REV (pages 1-2 of 22) for Riverbank Investigation at the East End Site

CONFIDENTIAL TLB-7: Haley & Aldrich Invoice IN00042448 (pages 1-3 of 19) for Remedial Construction and Site Restoration in Phase 1, 4, and 5 at the East End Site

TLB-8: East End Site Plan Map showing Remediation Phases

CONFIDENTIAL TLB-9: Haley & Aldrich Invoice IN00045385-RET for Remedial Construction and Site Restoration in Phase 1, 3, 4, and 5 at the East End Site

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**I. INTRODUCTION AND PURPOSE**

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Todd L. Bachand, and my business address is 139 East Fourth Street,  
3 Cincinnati, Ohio 45202.

4 **Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

5 A. I am employed by Duke Energy Business Services LLC (DEBS) as a Principal  
6 Environmental Specialist for the Remediation Group, which is part of  
7 Environmental Services at Duke Energy Corporation (Duke Energy). DEBS  
8 provides various administrative and other services to Duke Energy Ohio, Inc.,  
9 (Duke Energy Ohio or Company) and other affiliated companies of Duke Energy.

10 **Q. PLEASE SUMMARIZE YOUR EDUCATIONAL BACKGROUND AND**  
11 **PROFESSIONAL EXPERIENCE.**

12 A. I received my Bachelor of Science degree in Environmental Sciences from Springfield  
13 College, located in Springfield, Massachusetts, in 1985. From 1985 to 1992, as an  
14 Environmental Scientist with Baystate Environmental Consultants, Inc. (East  
15 Longmeadow, MA), I was responsible for conducting site assessments, performing  
16 feasibility studies, and managing construction, dredging and remediation projects.  
17 From 1992 to 1996, as the manager of Technical Services for Nuclear Energy  
18 Services, Inc. (Danbury, CT), I was responsible for overseeing and managing a wide  
19 variety of site assessments and remediation projects. I was responsible for managing  
20 a team of environmental scientists and geologists primarily working on sites  
21 throughout the East Coast focusing on petroleum-impacted properties. From 1996 to  
22 1998, as the Mid-West Operations Manager for Nuclear Energy Services, Inc.,

1 Integrated Environmental Services Division (Blue Ash, OH), I was responsible for  
2 managing a team of environmental scientists, geologists, and engineers. I managed  
3 projects that dealt with environmental assessments, real estate due diligence (Phase I  
4 Environmental Site Assessments), risk assessments, underground storage tank  
5 remedial actions, and remedial actions relating to chlorinated solvents, mercury, and  
6 polychlorinated biphenyls (PCBs).

7 From 1998 to 2009, as the Vice President of NEES, LLC (West Chester, OH),  
8 I managed a team of environmental professionals and I was responsible for projects  
9 focusing on site assessments, property transactions, remediation projects, U.S. Army  
10 Corps of Engineers permitting and compliance, and cultural resources assessments.  
11 Projects that I personally managed focused on site assessments (Phase I, Phase II, and  
12 Phase III), remediation, risk analysis, environmental permitting, environmental  
13 auditing, and environmental compliance.

14 From 2009 to 2013, as the Director of Environment, FirstGroup America  
15 (Cincinnati, OH), I had all environmental responsibility for the company, which  
16 included the operating companies of Greyhound Bus, Greyhound Canada,  
17 Americanos, First Student, First Canada, First Transit, and First Vehicle Services.  
18 The occupational footprint included Mexico, Puerto Rico, the United States and  
19 Canada. My responsibilities focused on ensuring compliance with all  
20 environmental regulatory programs from city, county, state, and federal agencies in  
21 the United States and city, provincial, and the Ministry of Environment in Canada.  
22 Compliance included over 3,000 storage tanks and issuance of annual permits for  
23 each location (1,500+ locations). Additional responsibilities focused on real estate

1 holdings throughout North America and the environmental due diligence aspect of  
2 acquisitions and dispositions for both leased and owned properties. I was also  
3 responsible for managing multiple Comprehensive Environmental Response,  
4 Compensation, and Liability Act (CERCLA) sites where the company had  
5 liabilities, as well as managing multiple environmental remediation projects,  
6 focusing on petroleum, chlorinated solvents and PCB impacts to both soils and  
7 groundwater. In addition, I was responsible for ensuring that all operating permits  
8 were up-to-date and that all federal, state and local Emergency Planning and  
9 Community Right-to-Know Act Tier II reports were filed as required.

10 From June 2014 to the present, I have been with Duke Energy in the  
11 Remediation Group and my title is currently Principal Environmental Specialist. I  
12 am responsible for managing remediation projects within the states of Ohio,  
13 Kentucky, and Indiana. I have extensive experience in site assessments and  
14 remediation that I employ while managing the various projects in these states.  
15 Currently, I am managing the site assessment and remediation of contaminants  
16 from two former manufactured gas plant (MGP) sites in Cincinnati, Ohio (the East  
17 End and West End sites) for Duke Energy Ohio. I also represent Duke Energy on  
18 the Indiana Energy Association – MGP Remediation Work Group and I am a  
19 member of the MGP Consortium, which is a group comprised of 28 utilities where  
20 lessons learned and best practices are shared among utility project managers on the  
21 investigation and remediation of former MGP sites.

1 **Q. PLEASE SUMMARIZE YOUR RESPONSIBILITIES AS A PRINCIPAL**  
2 **ENVIRONMENTAL SPECIALIST WITHIN THE REMEDIATION**  
3 **GROUP.**

4 A. As a Principal Environmental Specialist in the Remediation Group, I provide  
5 project management and technical oversight for Duke Energy's environmental  
6 liabilities at power plants and other properties that any Duke Energy entity or  
7 predecessor company either owned, operated and/or sent material to and that is now  
8 subject to remediation obligations.

9 My job responsibilities, which are similar to the responsibilities of other  
10 project managers in the Remediation Group, include interaction and coordination  
11 with many different groups within and outside of Duke Energy, including: senior  
12 leadership; legal; finance; business units such as gas operations and transmission,  
13 customer delivery, and generation; ratepayers and community groups; local, state,  
14 and federal governmental or regulatory officials; and consultants, contractors, and  
15 site/construction workers. We prepare bid documents that detail Duke Energy's  
16 requirements and expectations for remedial work and we provide the technical  
17 evaluation of the proposals received. During the execution of site work, we actively  
18 review, comment on, and approve all plans, scope or design changes, and final  
19 documents prepared by environmental consultants. We regularly visit sites during  
20 active investigation and remediation activities to oversee work and ensure that  
21 Duke Energy's expectations are being met.

1 **Q. HAVE YOU PREVIOUSLY TESTIFIED BEFORE THE PUBLIC**  
2 **UTILITIES COMMISSION OF OHIO?**

3 A. Yes. I submitted written testimony in Case Nos. Case Nos. 15-0452-GA-RDR, *et*  
4 *al.*; Case Nos. 16-0542-GA-RDR, *et al.*; Case Nos. 17-0596-GA-RDR, *et al.*; Case  
5 Nos. 18-283-GA-RDR, *et al.*; and Case Nos. 19-174-GA-RDR, *et al.*, which were  
6 consolidated (Consolidated Rider MGP Proceedings). I provided oral testimony  
7 during the hearing for the Consolidated Rider MGP Proceedings, which took place  
8 November 19- 21, 2019.

9 **Q. WHAT IS THE PURPOSE OF YOUR DIRECT TESTIMONY IN THESE**  
10 **PROCEEDINGS?**

11 A. I am the project manager for the MGP investigation and remediation projects at the  
12 East End and West End sites in Duke Energy Ohio's service territory. The purpose  
13 of my direct testimony is to describe the environmental investigation and  
14 remediation activities that occurred at the East End and West End sites in  
15 Cincinnati, Ohio, through calendar year 2019. In so doing, my testimony will  
16 support the recovery of such expenditures that are included in Duke Energy Ohio's  
17 requested update to Rider MGP, as authorized by the Commission.

## **II. BACKGROUND AND HISTORY OF MGP SITES**

18 **Q. PLEASE SUMMARIZE YOUR EXPERIENCE WITH THE COMPANY'S**  
19 **INVESTIGATION AND REMEDIATION OF ITS TWO CINCINNATI MGP**  
20 **SITES, THE EAST END SITE AND WEST END SITE.**

21 A. Since 2014, I have been the project manager for the investigation and remediation  
22 of the East End site and West End site. I have been providing direct testimony in

1 each of the previously filed cases since 2015 and supplemental direct testimony in  
2 the Consolidated Rider MGP Proceedings wherein Duke Energy Ohio is seeking  
3 approval for recovery of costs related to investigation and remediation of impacts  
4 associated with the former MGP operations at the East End and West End sites. I  
5 previously provided oral and written testimony in the Consolidated Rider MGP  
6 Proceedings that details my responsibilities and my experience with respect to the  
7 investigation and remediation of the East End and West End sites at issue in these  
8 proceedings.

9 **Q. PLEASE SUMMARIZE YOUR EXPERIENCE WITH MGP SITES.**

10 A. In addition to acting as project manager for the remediation of the East End and  
11 West End sites, I also participate and serve in organizations dedicated to addressing  
12 environmental conditions at former MGP sites. In particular, I am currently Vice  
13 Chair of the MGP Consortium, and a member of the technical review committee  
14 for the GEI Consultants MGP Conferences.

15 **Q. PLEASE EXPLAIN WHAT YOU MEAN BY THE TERM MGP SITES.**

16 A. Duke Energy Ohio owns and utilizes the East End MGP site and West End MGP  
17 site for utility operations that previously were used for MGP operations long ago.  
18 Both the East End MGP site and West End site have been subdivided over time for  
19 purposes of investigation and remediation under the Ohio Environmental  
20 Protection Agency's (Ohio EPA) Voluntary Action Program (VAP). These  
21 subdivided areas were referred to as "parcels." "Parcels" were not defined based on  
22 real property boundaries, but were based on areas requiring investigation and, if  
23 necessary, remediation for MGP impacts from the legacy operations. The term



1 “MGP sites” when referring to East End and West End has the meaning typically  
2 used in the environmental remediation industry—the area that may be impacted or  
3 contaminated from the former MGP operations and which requires investigation  
4 and, in some instances, remediation under state and federal environmental laws and  
5 regulations. Duke Energy Ohio’s investigations have determined that MGP impacts  
6 at the MGP sites must be remediated under applicable environmental laws. As the  
7 Company first explained in its 2012 natural gas rate case, Case No. 12-1865-GA-  
8 AIR, *et al.*, (Natural Gas Rate Case) and in subsequent related cases, and in  
9 subsequent related cases, MGP impacts have by-products and other waste  
10 materials, including tar-like material (TLM) and oil-like material (OLM), with a  
11 number of chemicals, including benzene and polyaromatic hydrocarbons. These  
12 contaminants are not stable, but rather mobile and can migrate through soils and  
13 dissolve into the groundwater at concentrations above applicable standards.<sup>1</sup> Both  
14 the East End site and West End site are located on the Ohio River and the mobile  
15 free product could migrate into the riverbanks, sediments, and surface water body.<sup>2</sup>  
16 Investigation and remediation of MGP contaminants is required to address the  
17 Company’s liability under state and federal environmental laws and to meet  
18 applicable standards under the Ohio EPA’s VAP. Therefore, the term “MGP sites”  
19 refers to the areas where MGP contaminants are present and must be remediated  
20 under CERCLA and in accordance with the Ohio VAP to address Duke Energy  
21 Ohio’s liability for those conditions.

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<sup>1</sup> *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in its Natural Gas Distribution Rates*, Case No.12-1865-GA-AIR, *et al.*, Opinion and Order pg. 32 (November 13, 2013); *See also*, Direct Testimony of Shawn S. Fiore at 18 (April 22, 2013).

<sup>2</sup> Id.

1 **Q. PLEASE DESCRIBE THE CORPORATE STRUCTURE AND**  
2 **MANAGEMENT OVERSIGHT OF THESE TWO MGP SITES.**

3 A. These two remediation sites are managed by Duke Energy Environmental Services  
4 as part of the Environmental Health and Safety Department in Regulated Utilities.  
5 Environmental Services is headed by a Vice President who oversees Directors who  
6 are appointed to manage various disciplines/media programs. Within the  
7 Remediation Group, I review project scopes and activities with each consultant's  
8 individual project manager on a minimum bi-weekly basis, which I then review  
9 verbally with my management on a minimum bi-weekly basis. Information on the  
10 status and activities on the East End and West End sites is periodically reviewed  
11 with higher levels of management and the financial department. Known and  
12 anticipated activities, including cost estimates, are reviewed with levels of senior  
13 management at least semi-annually and whenever significant decisions are required  
14 on strategy or anticipated costs. Each level of management has limited authority to  
15 approve activities and authorize the expenditure of funds. For new purchase orders,  
16 approval also must be obtained from Duke Energy's sourcing department. Over the  
17 course of 2019, I met with several members of Duke Energy management to discuss  
18 the status of the projects, seek input on certain decisions, and obtain approval of  
19 spending requests, as necessary.

1 **Q. THE COMMISSION’S ORDER IN THE 2012 NATURAL GAS RATE CASE**  
2 **DETAILS THE HISTORY OF MANUFACTURED GAS PLANTS, AS**  
3 **WELL AS THE PROCESS TO INVESTIGATE AND REMEDIATE**  
4 **FORMER MGP SITES. IS THERE ADDITIONAL INFORMATION TO**  
5 **SUPPLEMENT THAT DETAIL?**

6 A. No. Information on the background of manufactured gas and its history in  
7 southwest Ohio is described at length in the Commission’s Opinion and Order in  
8 the 2012 Natural Gas Rate Case (Commission’s Order).<sup>3</sup> Likewise, the  
9 Commission’s Order provides details of typical investigation and remediation  
10 activities and a description of the impact of Ohio laws and regulations and the Ohio  
11 EPA clean-up programs on the management of the environmental conditions at  
12 Duke Energy Ohio’s MGP sites, especially the VAP.

13 **Q. WHAT IS YOUR UNDERSTANDING OF THE SCOPE OF DUKE ENERGY**  
14 **OHIO’S LIABILITY AND OBLIGATION TO INVESTIGATE AND**  
15 **REMEDiate THE ENVIRONMENTAL IMPACTS ASSOCIATED WITH**  
16 **THE FORMER MGP OPERATIONS AT THE EAST END AND WEST END**  
17 **SITES?**

18 Based on my more than thirty years of experience as an environmental remediation  
19 professional, my work with environmental consultants and others in the  
20 environmental field, the training I have received, and review of the record in the  
21 2012 Natural Gas Rate Case, it is my understanding that the Company is liable

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<sup>3</sup> See e.g., *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in its Natural Gas Distribution Rates*, Case No.12-1865-GA-AIR, et al., Supplemental Direct Testimony of Jessica Bednarcik, (February 23, 2013); *Id.*, Direct Testimony of Shawn S. Fiore (April 22, 2013); and *Id.* Opinion and Order (November 13, 2013).

1 under state and federal environmental laws for the remediation of all impacts  
2 associated with the former MGP operations at the East End and West End sites,  
3 regardless of the precise location of those impacts.<sup>4</sup> As noted in the Commission’s  
4 Order, this means that the Company has a legal and societal obligation to remediate  
5 areas that have been contaminated by the former MGP operations<sup>5</sup> even when those  
6 impacts extend beyond Duke Energy Ohio’s current property boundary. This  
7 liability is not limited to current or historical property boundaries, as Duke Energy  
8 Ohio is responsible for any cleanup required on-site or off-site of the Company’s  
9 current property boundaries that can be causally linked to the former MGP  
10 operations conducted under the ownership of Duke Energy Ohio or its  
11 predecessors.<sup>6</sup>

12 As approved by the Commission, Duke Energy Ohio is addressing its  
13 liability under these state and federal environmental laws by investigating and  
14 remediating the consequences of MGP operations at the East End and West End  
15 sites under the Ohio VAP. Duke Energy Ohio has continued its approach of  
16 investigating and remediating MGP impacts from the sites in the same iterative  
17 manner that was determined by the Commission to be reasonable and prudent in  
18 the Commission’s Order.<sup>7</sup> The costs to investigate and remediate contamination  
19 from the Company’s former MGP operations are costs of doing business as the

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<sup>4</sup> *Id.*

<sup>5</sup> *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in its Natural Gas Distribution Rates*, Case No.12-1865-GA-AIR, *et al.*, Opinion and Order (November 13, 2013) at 58-59.

<sup>6</sup> 42 U.S.C. 9601(9)(b); *see* 84 Fed. Reg 60339, 60340 (Nov. 8, 2019) (defining a “facility” to “include any area where a hazardous substance has ‘come to be located’”).

<sup>7</sup> *In the Matter of the Application of Duke Energy Ohio, Inc., for an Increase in Gas Rates*, Case No. 12-1685-GA-AIR, *et al.*, Opinion and Order (Nov. 13, 2013) at 73.

1 Company has liability under federal and state environmental laws regardless of  
2 whether the contamination occurs inside or outside an arbitrary geographic  
3 boundary.<sup>8</sup>

4 The Company is required to investigate and address all such impacts,  
5 including the impacts in the area of the East End site referred to as the “Area West  
6 of the West Parcel.” In 2014, Duke Energy Ohio completed environmental  
7 investigations that determined MGP contamination was present at the East End site  
8 and that remediation was necessary in parts of the Area West of the West Parcel  
9 (referred to as “Phase 2 Area” for remediation purposes). During remediation, the  
10 foundation of a former iron tar tank was discovered in the Area West of the West  
11 Parcel, confirming that MGP equipment was also formerly located in that area.

12 Similarly, the Company must investigate and remediate, if necessary,  
13 impacts in the Ohio River sediments as its responsibility does not end at the river  
14 bank. Under CERCLA and the VAP, the Company is required to evaluate whether  
15 the former MGP operations have impacted the Ohio River and whether there is a  
16 risk to human health and the environment associated with any such impacts.<sup>9</sup> If the  
17 results of the required investigations demonstrate that remediation is necessary, the  
18 Company will need to address these impacts. Duke Energy Ohio’s liability is not  
19 based on current or historical property boundaries, but is based on where the  
20 contamination migrated and whether there is an unacceptable level of risk to human  
21 health or the environment associated with that contamination.

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<sup>8</sup> 42 U.S.C. 9601(9)(b); *see* 84 Fed. Reg 60339, 60340 (Nov. 8, 2019) (defining a “facility” to “include any area where a hazardous substance has ‘come to be located’”).

<sup>9</sup> Ohio Adm.Code 3745-300-08(A)(3).

1           The MGP contamination, wherever it exists, was a result of the operation of  
2 those MGP facilities that, at one time, served customers. As Duke Energy Ohio  
3 witness Fiore describes in his direct testimony, Duke Energy Ohio has performed  
4 its investigation and remediation in accordance with the Ohio VAP under the  
5 guidance and oversight of VAP Certified Professionals (CPs).

6 **Q. PLEASE BRIEFLY SUMMARIZE THE INVESTIGATION AND**  
7 **REMEDATION ACTIVITIES THAT DUKE ENERGY OHIO**  
8 **PERFORMED AT THE EAST END AND WEST END SITES FROM 2013**  
9 **THROUGH 2018.**

10 A. Investigation and remediation activities at the East End and West End sites were  
11 sequenced in phases as is typical for remediation of MGP impacts at similar sites  
12 and to facilitate ongoing on-site utility operations. It is very common to address  
13 large remediation projects in phases for both efficiency and effectiveness. This is  
14 also consistent with the testimony I provided in the Consolidated Rider MGP  
15 Proceedings and as noted in the Commission's Order. I have prepared Attachment  
16 TLB-1, which includes a summary timeline of the investigation and remediation  
17 activities conducted at the East End and West End sites for each year from 2013  
18 through 2018 (and supplemented for activities in 2019, as discussed below).

19 **Q. ARE THE BOUNDARIES OF THE UPLAND PORTIONS OF THE EAST**  
20 **END AND WEST END SITES IDENTICAL TO THOSE THAT EXISTED**  
21 **AT THE TIME THOSE PLANTS WERE OPERATING?**

22 A. No, they are not. In fact, a significant portion of the land that comprised the facilities  
23 when the MGPs were operational is now located beneath the waterline of the Ohio

1 River. This is because the water level in the Ohio River today is much higher than  
2 it was decades ago. The low-water mark of the Ohio River was historically at the  
3 Kentucky and Ohio border, which in some areas is as much as 200 feet south of the  
4 current riverbank. The East End site operated as an MGP from 1884 to 1909, and  
5 again from 1925 to 1963. The West End site operated as an MGP from 1843 to  
6 1909, and again from 1918 to 1928. The southern boundary of the East End and  
7 West End sites changed significantly following the completion of the construction  
8 of the Markland locks in 1959 and the dam in 1964. The construction of the  
9 Markland locks and dam significantly raised the Ohio River water level after the  
10 MGP operations ceased at East End and West End sites. Attachment TLB-2 shows  
11 the historical water edge at the East End site in 1962, which was located  
12 approximately 200 feet to the south in what is the current Ohio River.

**III. INVESTIGATION AND REMEDIATION AT EAST END AND WEST  
END SITES**

13 **Q. PLEASE DESCRIBE THE COMPANY’S GENERAL USE OF THE EAST**  
14 **END AND WEST END SITES IN 2019.**

15 A. Both the East End and West End facilities continued to be used as plant in service  
16 for utility service by Duke Energy Ohio. At the East End site, the facility continues  
17 to be used as a synthetic natural gas peaking station with significant above and  
18 underground facilities throughout the area, especially in the location referred to as  
19 the “Middle Parcel.”

20 At the West End site, Duke Energy’s Transmission and Distribution Group  
21 continues to operate the electrical substations. The Company continues to own and  
22 operate two 12-inch diameter gas transmission pipelines that enter Ohio at the West

1 End site. At the valve pit on the riverbank, the two lines combine into one 20-inch  
2 pipeline. There is also a gas measurement station at this location. This building also  
3 houses the Remote Terminal Units (RTU) equipment, which is part of the  
4 Supervisory Control and Data Acquisition (SCADA) system that monitors and  
5 controls the natural gas distribution system. This line supplies approximately  
6 20,000 customers in a peak hour.

7 **Q. DID DUKE ENERGY OHIO CONDUCT INVESTIGATION AND**  
8 **REMEDATION ACTIVITIES IN 2019 AT THE EAST END AND WEST**  
9 **END SITES?**

10 A. Yes, the Company conducted investigation and remediation activities in 2019 at the  
11 East End and West End sites.

12 **Q. PLEASE GENERALLY DESCRIBE THE INVESTIGATION AND**  
13 **REMEDATION WORK AT THE EAST END AND WEST END SITES**  
14 **DURING 2019.**

15 As in prior years, the environmental work at the East End and West End sites  
16 continued to be performed by environmental consulting firms experienced in MGP  
17 site investigation and remediation and under the oversight of Ohio EPA VAP CPs,  
18 whose role is to ensure activities are compliant with Ohio EPA's VAP regulations.  
19 The Ohio EPA VAP CPs and environmental consultants hired to perform activities  
20 at the two sites continue to work with me to ensure that the work complies with the  
21 VAP and meets all applicable local, state, and federal standards, as well as to ensure  
22 that the environmental conditions at the sites are protective of human health and the  
23 environment, both short term and long term.



1    **Q.    PLEASE IDENTIFY THE ACTIVITIES CONDUCTED IN 2019 THAT**  
2           **RELATE TO THE INVESTIGATION AND REMEDIATION OF**  
3           **ENVIRONMENTAL CONDITIONS RESULTING FROM THE FORMER**  
4           **EAST END MGP OPERATIONS.**

5    A.    Attachment TLB-1 provides a summary of the investigation and remediation  
6           activities performed at the East End site from 2007 through 2019. All upland work  
7           at the East End site performed in 2019 was conducted under my supervision, along  
8           with the oversight of an Ohio EPA VAP CP employed by the firm of Haley &  
9           Aldrich, Inc. (Haley & Aldrich). As noted in testimony in the Consolidated Rider  
10          MGP Proceeding, the only area where active remediation activities, (*i.e.*, soil  
11          excavation and *in situ* solidification (ISS)), was performed in the “Area West of the  
12          West Parcel” at the East End site was in what is referred to as the “Phase 2 Area.”  
13          As described in the Consolidated Rider MGP Proceedings, all active remediation  
14          in the Area West of the West Parcel was completed in 2017.

15                 In 2019, there was no active remediation measures implemented in the  
16          Phase 2 Area or elsewhere within the Area West of the West Parcel. Soil excavation  
17          and ISS activities were performed in the Phase 4 and Phase 5 Areas, which are  
18          located in the Middle Parcel. The only 2019 work in the Area West of the West  
19          Parcel involved the limited remediation of the riverbank, which included placing  
20          aquagate and an organoclay mat on an area where MGP impacts were observed and  
21          work that was performed on a site-wide basis. Work that was performed site-wide,  
22          but also included the Area West of the West Parcel, consisted of: site-wide quarterly  
23          groundwater monitoring, site restoration work (*i.e.*, seeding, grading, and in some

1 instances, installing gravel base and re-paving access roads that had been removed  
2 during remediation) in the Phase 2 Area in the Area West of the West Parcel and in  
3 the Phase 1, 3, 4, and 5 Areas of the Middle Parcel, and the investigation along the  
4 riverbank, which included the installation of two borings in the Area West of the  
5 West Parcel out of ten total borings at the East End site.

6 During the remedial activities in the Middle Parcel, consistent with previous  
7 work, precautions were taken to ensure that the critical infrastructure at the East  
8 End site was not damaged. Duke Energy contracted with Terracon Consultants, Inc.  
9 to conduct vibration monitoring of the critical infrastructure during the active  
10 remediation work. Ambient air monitoring activities continue to be conducted by  
11 AECOM to monitor the perimeter ambient air quality during active remedial  
12 activities in the Middle Parcel.

13 In addition, a Remedial Design Package was prepared for areas in the  
14 Middle Parcel that are inaccessible due to sensitive underground infrastructure and  
15 propane peaking facilities in operation at the East End site. These areas will be  
16 identified as Phase 7 and Phase 8 Areas, which are located in the Middle Parcel.

17 In 2019, Haley & Aldrich also performed the next phase of Ohio River  
18 investigation. Haley & Aldrich's Ohio EPA VAP CP is overseeing the work to  
19 ensure that the activities are compliant with Ohio EPA's VAP regulations and is  
20 consistent with the work that has been performed in the uplands, the portions of the  
21 East End site that is not in the Ohio River. Haley & Aldrich's work involving the  
22 Ohio River included the installation of borings and the collection of samples for  
23 laboratory analysis within the Ohio River. All work conducted within the Ohio

1 River was completed within the State of Ohio and within the geographical  
2 boundaries of the historical MGP facility. As noted earlier, because of the  
3 construction of the Markland Dam in the 1960s, the elevation of the Ohio River is  
4 much higher today than it was during the operation of the MGP at the East End site  
5 decades ago. As such, in some areas, the original riverbank of the East End site is  
6 now located more than two hundred feet further south into the current Ohio River  
7 due to the higher water levels.

8 **Q. PLEASE IDENTIFY THE ACTIVITIES CONDUCTED IN 2019 THAT**  
9 **RELATE TO THE INVESTIGATION AND REMEDIATION OF**  
10 **ENVIRONMENTAL CONDITIONS RESULTING FROM THE FORMER**  
11 **WEST END MGP SITE.**

12 A. Attachment TLB-1 provides a summary of the investigation and remediation  
13 activities performed at the West End site from 2009 through 2019.

14 In 2019, remedial activities included the excavation of contaminated soils  
15 in the Tower Area and excavation of contaminated soils and ISS in the Phase 3  
16 Area. The work was completed by Northstar and Arcadis, and Silar Services  
17 provided construction oversight during the project. During the remedial activities,  
18 consistent with previous work, precautions were taken to ensure that the critical  
19 infrastructure at the site was not damaged. Duke Energy contracted with Terracon  
20 Consultants, Inc. to conduct vibration monitoring of the critical infrastructure  
21 during the active remediation activities. Ambient air monitoring activities continue  
22 to be conducted by AECOM to monitor the perimeter ambient air quality during  
23 active remedial activities.

1           In addition, AECOM conducted quarterly groundwater sampling of all  
2 groundwater monitoring wells at the West End site.

3           Duke Energy Ohio engaged Haley & Aldrich to perform the next phase of  
4 Ohio River investigation at the West End site. Haley & Aldrich's Ohio EPA VAP  
5 CP is overseeing the work to ensure that the activities are compliant with Ohio  
6 EPA's VAP regulations and is consistent with the work that has been performed in  
7 the uplands. In 2019, Haley & Aldrich's work included the installation of borings  
8 and the collection of samples for laboratory analysis within the Ohio River. All  
9 work conducted within the Ohio River in 2019 was completed within the State of  
10 Ohio and within the geographical boundaries of the historical MGP facility. As  
11 noted above, because of the construction of the Markland Dam in the 1960s, the  
12 elevation of the Ohio River today is much higher today than it was during the  
13 operation of the MGP at the West End site decades ago. As such, in some areas, the  
14 original riverbank of the West End site is now located more than two hundred feet  
15 further into the current Ohio River due to the higher water levels.

16 **Q. PLEASE DETAIL THE 2019 COSTS INCURRED AT BOTH THE EAST**  
17 **END AND WEST END SITES FOR WHICH DUKE ENERGY OHIO IS**  
18 **SEEKING RECOVERY THROUGH RIDER MGP.**

19 A. In 2019, Duke Energy Ohio incurred, in investigation and remediation costs,  
20 approximately \$13.5 million at the East End site and \$25.5 million in investigation  
21 and remediation costs at the West End site, which total approximately \$39 million  
22 in total MGP costs at the East End and West End sites. The recovery mechanism  
23 for the costs incurred in 2019 is discussed in the Direct Testimony of Duke Energy

1 Ohio witness Sarah E. Lawler. The categories of costs that are described at length  
2 in the Commission's Order are applicable to the investigation and remediation  
3 activities that occurred in 2019.

4 External costs included: environmental consultants used for the  
5 investigation of the soil, groundwater and sediment impacts; environmental  
6 consultants used to perform oversight during remedial actions; environmental  
7 contractors and subcontractors used to perform excavation and ISS; waste disposal  
8 costs; restoration work, and analytical laboratories that analyzed soil and  
9 groundwater samples.

10 Internal costs included: expenses for Duke Energy employees working on  
11 the projects; oversight by the Duke Energy Analytical Laboratory located in  
12 Huntersville, North Carolina that performed audits of the analytical laboratories  
13 and performed quality control and review of analytical data; oversight and  
14 coordination by Duke Energy Power Delivery and Gas Operations personnel while  
15 working in close proximity to sensitive electrical and/or gas utilities; survey  
16 support; and project management oversight.

17 Although Duke Energy Ohio's responsibility is to remediate all impacts  
18 associated with the former MGP operations to the extent required under applicable  
19 environmental laws, in 2019 all costs incurred for both the East End and the West  
20 End sites are associated with activities conducted within the original MGP facility  
21 operational boundaries.

22 As I testified during the Consolidated Rider MGP Proceedings, most of the  
23 investigation and remediation activities were not invoiced or scoped based on

1 individual “parcel” as the required approach is to address the entire East End site  
2 and the West End site. As such, many scopes of work involved multiple “parcels”  
3 at the sites for purposes of effectiveness, efficiency and also reduced some costs.

4 However, I have reviewed all of the 2019 costs and prepared an allocation  
5 calculation based on reasonable assumptions, as summarized below and in more  
6 detail in the tables provided in Attachment TLB-3.

- 7 • Area West of the West Parcel (East End Site)
  - 8 ○ Groundwater Monitoring: \$10,000
  - 9 ○ Riverbank Investigation: \$77,000
  - 10 ○ Phase 2 Area Restoration: \$76,000
  - 11 ○ Limited Riverbank Remediation: \$340,000
- 12 • East End Site River Investigation: \$2.05 million
- 13 • West End Site River Investigation: \$1.25 million

14 The remainder of the costs incurred at the East End and West End sites, which are  
15 approximately \$10.9 million and \$24.3 million, respectively, were for investigation  
16 and remediation work in the upland areas that were not in dispute in the  
17 Consolidated Rider MGP Proceedings.

18 **Q. PLEASE DESCRIBE THE GENERAL PROCESS USED TO ENSURE THE**  
19 **REASONABLENESS OF COSTS INCURRED TO INVESTIGATE AND/OR**  
20 **REMEDiate THE EAST END AND WEST END SITES, INCLUDING**  
21 **WORK PERFORMED AT THE AREA WEST OF THE WEST PARCEL**  
22 **AND IN AND ALONG THE RIVER.**

23 A. As detailed in the Commission’s Order, Duke Energy Ohio employs and has  
24 continued to employ a number of procedures to ensure that the scope of  
25 investigation and cleanup work is appropriate and that the cost to perform that work  
26 is reasonable and prudent. Duke Energy project managers work closely with Ohio

1 EPA VAP CPs and experienced environmental consultants to evaluate different  
2 options based on various criteria, including compliance with environmental  
3 regulations, protection of human health and the environment, best practices,  
4 feasibility, constructability, safety, prior experience, and cost. These considerations  
5 are built into the solicitation of bids and estimates through Duke Energy’s “Request  
6 for Proposals” process. Bids are screened first on their technical merit, and then  
7 evaluated for cost. Work that is awarded without going through all aspects of this  
8 process must be justified to and approved by Duke Energy management. Scope  
9 modifications that are made in the field due to new or changing field conditions  
10 must be approved by Duke Energy project managers and may also require approval  
11 from Duke Energy management and/or Duke Energy’s finance department  
12 depending on the extent of the modification and other circumstances.

13 **Q. DOES DUKE ENERGY OHIO HAVE INVOICES TO SUPPORT THE**  
14 **INVESTIGATION AND REMEDIATION WORK PERFORMED BY**  
15 **CONTRACTORS?**

16 A. Yes, it does.

17 **Q. DID THESE INVOICES INDICATE THE PHASE OF WORK FOR WHICH**  
18 **COSTS WERE INCURRED AND THE AREA IN WHICH THE WORK**  
19 **WAS PERFORMED AT THE EAST END SITE?**

20 A. Many of the investigation and remedial activities involved the entire East End site  
21 or multiple “parcels” which comprise the East End site. As is customary with  
22 environmental projects such as this, the invoices are structured to coincide with the  
23 contracts and workplans, which were broken out by task.

1           Some of the invoices specifically reference the phase of work that was being  
2 performed or referenced the contract or scope of work that described the specific  
3 phase of work or area in which the work was performed. The only active  
4 remediation work that occurred in the Area West of the West Parcel was performed  
5 in the Phase 2 Area, and was completed in 2017. However, invoices related to the  
6 site restoration work identified costs by “phase”, including the Phase 2 Area.

7           There are several tasks that were performed on a site-wide basis, including  
8 groundwater monitoring and the riverbank investigation, which could not as easily  
9 be identified by specific area or phase, but can be reasonably allocated based upon  
10 the nature and scope of the work being performed, as summarized above.

11 **Q. HAS DUKE ENERGY OHIO SEGREGATED THE EAST END SITE COSTS**  
12 **OUT BY PARCEL FOR THIS PROCEEDING?**

13 A. Not for all costs. It is impractical, if not impossible, to separate all costs by parcel  
14 as the East End site investigation and remediation projects did not do so from the  
15 beginning and all tasks were not scoped on a parcel-by-parcel basis. However, I  
16 have reviewed the invoices for costs incurred in 2019 and have prepared a  
17 reasonable allocation calculation, which is summarized in TLB-3.

18           To the extent possible, I have identified costs specifically related to the Area  
19 West of the West Parcel. For example, some of the costs were tasked and invoiced  
20 separately, like the limited remediation of the riverbank at the East End site, so the  
21 process of identifying the costs was straightforward.

22           In other instances, some invoices identified that the work was done in the  
23 “Phase 2 Area” at the East End site (which is mostly in the Area West of the West



1 Parcel, although some of it is in the West Parcel). While I can identify those costs,  
2 I can understand how it can be confusing to others who are not as familiar with the  
3 work as I am. Similarly, the limited remediation of the riverbank was only in the  
4 Area West of the West Parcel, so those costs were allocated in the Area West of the  
5 West Parcel. These costs are shown on the table contained in Attachment TLB-3.

6 Some of the work that was performed was on a site-wide basis, for example,  
7 the groundwater monitoring. Groundwater monitoring costs were apportioned  
8 based on the percentage of wells that were sampled in the Area West of the West  
9 Parcel as compared to the total number of wells across the entire site. There are two  
10 wells in the Area West of the West Parcel and 14 total wells were sampled across  
11 the entire East End site. Similarly, the costs associated with the sampling work  
12 along the riverbank was apportioned based on the number of borings located in the  
13 Area West of the West Parcel compared to the number across the entire site. There  
14 were two borings installed on the riverbank in the Area West of the West Parcel  
15 and ten total borings across the entire East End site. These costs and the  
16 apportionment are explained on the table for the Area West of the West Parcel in  
17 Attachment TLB-3

18 **Q. HOW ARE YOU ABLE TO IDENTIFY WHAT COSTS WERE INCURRED**  
19 **IN THE AREA WEST OF THE WEST PARCEL AT THE EAST END SITE?**

20 A. As I testified earlier, active upland remediation was completed in the Area West of  
21 the West Parcel in 2017. I identified costs associated with the Area West of the  
22 West Parcel by reviewing invoices for work performed in 2019. TLB-1 provides a  
23 summary timeline of when work was performed and TLB-3 provides a summary of

1 2019 costs allocable to the Area West of the West Parcel. On TLB-3, the Area West  
2 of the West Parcel costs/invoices fall within four task categories: (1) groundwater  
3 monitoring; (2) riverbank investigation; (3) Phase 2 Area restoration; and (4)  
4 limited riverbank remediation. Example invoices referenced on TLB-3 are attached  
5 in CONFIDENTIAL TLB-4 through TLB-10, highlighted in pertinent areas, and  
6 discussed in the questions below.

7 **Q. PLEASE PROVIDE EXAMPLES OF HOW YOU ALLOCATED COSTS TO**  
8 **THE AREA WEST OF THE WEST PARCEL FOR GROUNDWATER**  
9 **MONITORING.**

10 A. Groundwater monitoring is performed on a site-wide basis, and only two out of  
11 total fourteen wells are in the Area West of the West Parcel at the East End site.  
12 The first invoice listed on TLB-3 and attached as CONFIDENTIAL TLB-4 is Haley  
13 & Aldrich IN00037560 dated 3/7/2019 for \$1,869.25. On the invoice, the project  
14 name is “Duke EEGW Consulting and Investigation” and the work is conducted  
15 under Purchase Order 5771836, which is the purchase order for groundwater  
16 monitoring. The total cost reflects Haley & Aldrich’s costs incurred in 2019 to write  
17 the 2018 annual groundwater report. To calculate the allocated cost for the Area  
18 West of the West Parcel, the total invoice was multiplied by 2/14 (the number of  
19 wells in the Area West of the West Parcel divided by the total number of wells  
20 sampled), resulting in \$267.04, as shown on TLB-3.

21 The third invoice listed on TLB-3 and attached as CONFIDENTIAL TLB-  
22 5, IN00039231 dated 4/29/2019 for \$16,465, reflects Haley & Aldrich’s costs to  
23 conduct quarterly groundwater monitoring fieldwork at the East End site. The same

1 method of allocation was used where the total invoice was multiplied by 2/14 (the  
2 number of wells in the Area West of the West Parcel divided by the total number  
3 of wells sampled), so \$2,352.14 was allocated to the Area West of the West Parcel,  
4 as shown on TLB-3.

5 **Q. PLEASE PROVIDE AN EXAMPLE OF HOW YOU ALLOCATED COSTS**  
6 **FOR THE AREA WEST OF THE WEST PARCEL ON THE RIVERBANK**  
7 **INVESTIGATION INVOICES.**

8 A. On TLB-3, the first “EMS Inc./HEPACO” invoice, FY19-011531REV dated  
9 12/10/2019 for \$175,000, and attached as CONFIDENTIAL TLB-6, is for the  
10 riverbank investigation fieldwork performed at the East End site. Ten borings were  
11 installed across the East End site riverbank and two were in the Area West of the  
12 West Parcel. To calculate the cost to be allocated to the Area West of the West  
13 Parcel, the total invoice was multiplied by 2/10 (the number of wells in the Area  
14 West of the West Parcel over the total number of riverbank wells sampled),  
15 resulting in \$35,000.

16 **Q. PLEASE PROVIDE EXAMPLES OF HOW YOU ALLOCATED COSTS**  
17 **FOR THE AREA WEST OF THE WEST PARCEL ON THE PHASE 2**  
18 **RESTORATION INVOICES.**

19 A. On TLB-3, the first “Phase 2 Area Restoration” invoice, IN00042448 dated  
20 8/6/2019 for \$530,970.22, is actually an invoice for Haley and Aldrich’s remedial  
21 construction and site restoration work in the Middle Parcel and the Area West of  
22 the West Parcel and is attached as CONFIDENTIAL TLB-7. As remedial  
23 construction was only performed in the Middle Parcel during 2019, and site

1 restoration was the only work performed in the Area West of the West Parcel and  
2 included in this invoice (and the other invoices listed under the same category),  
3 these invoices have been categorized as Phase 2 Area Restoration. On pages 1 and  
4 2 of this invoice, you will find shaded headers. The first shaded header states  
5 “Remedial Construction Phase 1, (Duke Middle & West of the West Parcel),  
6 Cincinnati, OH”; the second shaded header says, “Remedial Construction Phase 2,  
7 (Duke Middle & West of the West Parcel), Cincinnati, OH”; the third shaded header  
8 reads “Remedial Construction Phase 4, (Duke Middle & West of the West Parcel),  
9 Cincinnati, OH”; and the last shaded header on page 2 says “Remedial Construction  
10 Phase 6, (Duke Middle & West of the West Parcel), Cincinnati, OH.” The  
11 numbered Phases correspond to the areas shown in TLB-8, which shows the various  
12 remediation phases of the Middle Parcel and the Area West of the West Parcel at  
13 the East End Site. As shown in TLB-8, only the Phase 2 Area is located in the Area  
14 West of the West Parcel, and all the other phases are located in the Middle Parcel.  
15 The reference to “Duke Middle & West of the West Parcel” is tied to the original  
16 scope of work defined in the remedial design documents and proposals prepared by  
17 Haley & Aldrich in 2014, but the specific location of the work is determined by the  
18 reference to the phase.

19 \$530,970.22 was the total amount invoiced in CONFIDENTIAL TLB-7,  
20 but the costs incurred in the Phase 2 Area were \$40,934.58 as shown on page 1 of  
21 the invoice. I did not include the \$4,548.29 described as retainage on the invoice,  
22 because retainage costs were paid in invoice IN00045385-RET received at the end  
23 of 2019. The invoice for the retainage is attached as CONFIDENTIAL TLB-9,

1 which specifies the retainage that had previously been withheld for each phase,  
2 including for the Phase 2 Area, and was disbursed in connection with this invoice.  
3 Retainage is a portion of the contract price that is withheld until the work is  
4 substantially complete, which is a standard practice in the construction industry to  
5 assure that the project is completed.

6 **Q. HOW WERE THE COSTS OF THE LIMITED RIVERBANK**  
7 **REMEDATION ALLOCATED?**

8 A. The limited riverbank remediation addressed an area that was located in the Area  
9 West of the West Parcel, as that was the area where impacts were observed and had  
10 been reported to Ohio EPA. The source of impacts is not clear other than that they  
11 are associated with the former MGP operation. Thus, the total cost included in the  
12 limited riverbank remediation invoices was allocated to the Area West of the West  
13 Parcel based on the location of the work. For example, the first EMS Inc./HEPACO  
14 limited riverbank remediation invoice, FY19-007720 dated 8/20/2019 for  
15 \$155,507.21, is attached as CONFIDENTIAL TLB-10. This invoice captured costs  
16 for the Reactive Core Mat materials and installation activities along the riverbank  
17 area of the Area West of the West Parcel. Thus, there was no allocation because the  
18 entire invoice is for Area West of the West Parcel costs. This method applies to all  
19 the other limited riverbank remediation invoices listed.

20 **Q. HOW ARE YOU ABLE TO IDENTIFY WHAT COSTS WERE INCURRED**  
21 **IN THE OHIO RIVER AT THE EAST END SITE AND WEST END SITE?**

22 A. The Ohio River investigations for the East End site and the West End site were  
23 performed under separate purchase orders and scopes of work from the work

1 performed in the uplands, so it was much easier to identify the costs associated with  
2 the Ohio River at each site. TLB-3 includes all the 2019 costs that were incurred  
3 under the purchase orders associated with the Ohio River investigation at the East  
4 End site and the West End site.

5 **Q. BASED ON YOUR EXPERIENCE, DID DUKE ENERGY OHIO**  
6 **REASONABLY AND PRUDENTLY INCUR APPROXIMATELY \$39**  
7 **MILLION IN INVESTIGATION AND REMEDIATION COSTS IN 2019?**

8 A. Yes. These costs were incurred in the investigation and remediation of MGP  
9 contamination at the East End and West End sites and were conducted consistent  
10 with the procedures previously found reasonable and prudent by the Commission's  
11 Order in the 2012 Natural Gas Rate Case. The approach and scope of the remedial  
12 activity that has been conducted at the East End and West End sites in 2019 (and  
13 all years prior) have been consistent with what was deemed to be reasonable and  
14 prudent in the Commission's Order in the 2012 Natural Gas Rate Case involving,  
15 among other things, excavation and ISS in areas with OLM and TLM. All expenses  
16 incurred were in response to the Company's obligation to investigate and  
17 remediation impacts that stem from the operation of the two former MGPs. All  
18 costs included in the Company's application were for investigation and remediation  
19 of MGP-related byproducts, contaminants, and impacts. Based on my experience  
20 with remediating contaminated sites, including MGP sites like East End and West  
21 End, the approximately \$39 million represents reasonable and prudent costs for the  
22 work that was performed in 2019.

1 **Q. PLEASE DISCUSS THE TIMING AND ACTIVITIES PLANNED TO BE**  
2 **PERFORMED AT THE EAST END AND WEST END SITES IN 2020.**

3 A. These types of environmental projects are iterative in nature, particularly at sites  
4 that are as large and complicated as the East End and West End sites. Duke Energy  
5 Ohio has phased the remediation in a prudent fashion to avoid needless expense  
6 and in a manner that protects the safety of Duke Energy Ohio's employees and the  
7 community and avoids potential disruptions to natural gas and electric services. As  
8 is typical for these types of cleanups, the upland areas where the former MGP  
9 processes were located are the first to be evaluated and remediated. Much of the  
10 upland active remedial work has been completed. Duke Energy Ohio is in the  
11 process of evaluating potential impacts in the Ohio River at both the East End site  
12 and West End site, to determine whether impacts are present and to determine what  
13 remediation will be required, if any.

14 At the East End site, there is currently a high-risk gas facility with sensitive  
15 underground propane infrastructure that continues to operate. This facility is  
16 located in the East End Middle Parcel. This area, while currently inaccessible for  
17 remediation, will require remediation once these facilities can be safely retired. On  
18 November 21, 2019, the Ohio Power Siting Board issued an Opinion, Order and  
19 Certificate<sup>10</sup> for the construction of the C314V Central Corridor Extension, which  
20 when completed and in service, will allow the propane peaking equipment and  
21 sensitive underground infrastructure to eventually be taken out of service and

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<sup>10</sup> *In the Matter of the Application of Duke Energy Ohio, Inc. for a Certificate of Environmental Compatibility and Public Need for the C314V Central Corridor Pipeline Extension Project*, Case No. 16-253-GA-BTX, Opinion, Order and Certificate (November 21, 2019).

1 decommissioned and, thereafter, allow for remediation in areas that were  
2 previously inaccessible due to the sensitive infrastructure. Until that occurs, extra  
3 security and safety precautions must be taken when remediating and investigating  
4 this site to ensure the safety of Duke Energy Ohio's employees as well as the  
5 surrounding community. Work planned in 2020 at the East End site includes the  
6 installation of soil and bedrock borings along the southern border of the uplands  
7 along the top of the riverbank. In addition, a series of groundwater monitoring wells  
8 will be installed to replace those that had to be abandoned during recent remedial  
9 activities. All site-wide groundwater monitoring wells will continue to be sampled  
10 on a quarterly basis in 2020. The upland Remedial Action Completion Report will  
11 be prepared to document the work that has been completed in the Middle Parcel  
12 and Area West of the West Parcel. As discussed above, the Ohio River investigation  
13 and evaluation at the East End site will continue, including preparation of  
14 environmental reports.

15 At the West End site, the site-wide groundwater monitoring wells will  
16 continue to be sampled on a quarterly basis. The upland Remedial Action  
17 Completion Report will also be prepared to provide a summary of the remedial  
18 work completed in the Phase 3 and Tower Areas. As discussed above, the Ohio  
19 River investigation and evaluation at the West End site will continue, including  
20 preparation of environmental reports.



**IV. CONCLUSION**

1 **Q. WERE ATTACHMENTS TLB-1 THROUGH TLB-10 PREPARED BY YOU**  
2 **OR AT YOUR DIRECTION AND UNDER YOUR CONTROL?**

3 **A. Yes.**

4 **Q. DOES THIS CONCLUDE YOUR DIRECT TESTIMONY?**

5 **A. Yes.**

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Summary: Testimony Direct Testimony - Todd Bachand electronically filed by Mrs. Debbie L Gates on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco O. Mr. and Kingery, Jeanne W and Vaysman, Larisa