

May 3, 2021

Ms. Tanowa Troupe, Secretary
Ohio Power Siting Board
Docketing Division
180 East Broad Street, 11th Floor
Columbus, Ohio 43215-3797

Re: Case No. 20-1362-EL-BGN - In the Matter of the Application of Clearview Solar I, LLC for a Certificate of Environmental Compatibility and Public Need to Construct a Solar-Powered Electric Generation Facility in Champaign County, Ohio.

Response to Fourth Data Request from Staff of the Ohio Power Siting Board

Dear Ms. Troupe:

Attached please find Clearview Solar I, LLC's ("Applicant") Response to the Fourth Data Request from the staff of the Ohio Power Siting Board ("OPSB Staff"). The Applicant provided this response to OPSB Staff on May 3, 2021.

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

Respectfully submitted,

/s/ Christine M.T. Pirik

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CERTIFICATE OF SERVICE

The Ohio Power Siting Board's e-filing system will electronically serve notice of the filing of this document on the parties referenced in the service list of the docket card who have electronically subscribed to these cases. In addition, the undersigned certifies that a copy of the foregoing document is also being served upon the persons below this 3rd day of May, 2021.

/s/ Christine M.T. Pirik

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4832-9680-0487 v1 [85890-4]

**BEFORE
THE OHIO POWER SITING BOARD**

In the Matter of the Application of Clearview)
Solar I, LLC for a Certificate of Environmental)
Compatibility and Public Need to Construct a) Case No: 20-1362-EL-BGN
Solar-Powered Electric Generation Facility in)
Champaign County, Ohio.)

**CLEARVIEW SOLAR I, LLC 'S
RESPONSE TO THE FOURTH DATA REQUEST
FROM THE STAFF OF THE OHIO POWER SITING BOARD**

On December 18, 2020, Clearview Solar I, LLC (“Applicant” or “ClearviewSolar”), filed an application (“Application”) with the Ohio Power Siting Board (“OPSB”) proposing to construct a solar-powered electric generation facility in Champaign County, Ohio.

On April 28, 2021, the Staff of the OPSB (“OPSB Staff”) provided the Applicant with OPSB Staff’s Fourth Data Request. Now comes the Applicant providing the following response to the Fourth Data Request from the OPSB Staff.

Cultural Resources

- 1. In the completeness letter dated 2/16/2021, OPSB Staff asked that, “specific avoidance or mitigation measures for impacts from the project on archaeological and historic/architecture sites,” be provided during the investigation phase of our review. To better understand the status regarding potential mitigation or avoidance of significant cultural resources, please provide an update on status of field work, coordination with OHPO on results and provide staff with a copy of any draft to date of Phase I cultural resources work.**

Response: On March 19, 2021, the Applicant entered into a Programmatic Agreement (“PA”) with the State of Ohio Historic Preservation Office (“OHPO”) in which the Applicant stated its intent to avoid any adverse effects on cultural resources, including “landmarks” as that term is used in Ohio Administrative Code (“O.A.C.”) Rule OAC 4906-4-07(D), by adjusting Project facilities. As described in its letter of concurrence on December 8, 2020, OHPO determined that the Project will not result in adverse effects to above-ground historic properties; therefore, no mitigation measures are necessary. If significant archaeological resources are identified and avoidance is not feasible, the Applicant will work with OHPO to develop a minimization/mitigation plan to be memorialized in a Memorandum of Understanding (“MOU”). The MOU may include

archaeological data recovery, development of an unanticipated discovery plan, and/or archaeological monitoring during construction, to be determined in consultation with OHPO.

The PA notes that the remaining 50% of the archaeological field work is expected to be completed in 2021. The vast majority of the Project Area has been surveyed, with only about 150 acres remaining to be surveyed (these owners use “no till” cultivation methods on these acres that precluded a pedestrian survey in the spring of 2021). The Applicant is targeting May 14, 2021, to complete a draft Phase I Cultural Report covering the acreage surveyed to-date, a copy of which will be provided to OPSB Staff. The Applicant expects that the final 150 acres will be surveyed following the fall harvest.

Public and Private Water Supply

2. **In a letter from the Ohio EPA to Staff dated 1/15/2021 Ohio EPA relayed concerns about potential release of lead, cadmium, and other toxic chemicals which could be released if the solar panels would be destroyed in natural disaster. A copy of this letter was provided to you. Ohio EPA also indicated that it was assisting the Village of Quincy to revise its drinking water source protection plan to include response actions the public water system would take in the event of damage to the solar panels in a natural disaster. In order for Staff to determine whether this concern is satisfactorily addressed, please explain where in the Application, supplements, and/or any data request responses provided to date, where Clearview Solar addresses the concern about toxicity of solar panels, the ability of solar panels and equipment to withstand high wind velocities, how the solar farm would be cleaned up or possibly decommissioned after a natural disaster, applicable insurance coverage, potential impact during the operation stage to groundwater, and any other relevant factors.**

Response: Solar panels contain no liquids that can spill, are not toxic and even in the highly unlikely event of a natural disaster doing substantial damage to the Project pose no threat to the Village of Quincy’s water supply. The concern that was forwarded by the Ohio Environmental Protection Agency (“Ohio EPA”), however, is being proactively addressed by the Applicant. (The Applicant notes that the concern expressed is not that of Ohio EPA, but of an unidentified person who contacted EPA; no justifications for the concern were provided.) The Applicant conferred with Ohio EPA about the subject, has reached out to the Village of Quincy to discuss it, and plans to coordinate with both Ohio EPA and the Village of Quincy regarding the Applicant’s emergency response plan.

Regarding concerns about toxicity and the Application, included in Exhibit G “Summary of Public Outreach” to the Application are two reports from North Carolina State University that were provided to neighbors of the Project and are available at www.clearviewsolarproject.com for public access. These reports are titled “Balancing Agricultural Productivity with Ground-Based Solar Photovoltaic (PV) Development” and “Health and Safety Impacts of Solar Photovoltaics”. The second report, in particular, addresses the kinds of concerns expressed by the person that contacted Ohio EPA.

As noted on Page 5 of Exhibit B, Representative Component Models, in the Application racking can be configured to withstand a 145 miles per hour (“MPH”) 3-second gust, which is similar to figures quoted by most single-axis tracker manufacturers. Manufacturers often utilize wind tunnel testing data to determine wind loadings that the structure may experience. Additionally, during the detailed engineering phase of the Project, the engineer of record will utilize geotechnical testing data to determine proper ground embedment depths for the pilings that support the tracker system. Design and embedment will follow the loading conditions from the tracker supplier and the engineer of record will follow applicable building codes for loading requirements. Lastly, the racking model in final design will likely have a stowing feature, which rotates the array into the optimal position to withstand incoming severe weather.

In the extremely unlikely event that the Project is impacted by a natural disaster, the Applicant will follow industry best practices and expects to be in a position to remediate the site, repair, or replace any damaged components, and bring the Project back to operation. Exhibit I to the Application, the “Preliminary Decommissioning Plan,” describes how the Project will be decommissioned; a final and approved decommissioning plan will be in place prior to the start of construction. In the extremely unlikely event that a natural disaster impacts the Project to such a degree that the Applicant decides to decommission the Project, the Applicant will fulfill its obligations under that final and approved decommissioning plan to restore the project area to substantially its pre-construction condition.

With regard to insurance in the case of weather-related damage, as described on page 28 of the Application, the Applicant will maintain a comprehensive package of liability insurance to protect the public in connection with the Project. Throughout the construction, operation, and decommissioning of the Project, the Applicant will maintain insurance against claims and liability for personal injury, death and property damage arising from the construction, operation or decommissioning of the Project. At a minimum, the coverage limits of such insurance will be \$1 million per occurrence and \$2 million in the aggregate. Clearview Solar also will maintain umbrella insurance coverage against claims and liability for personal injury, death and property damage arising from the construction, operation or decommissioning of the Project in the amounts of \$10 million per occurrence and \$10 million in the aggregate.

The Applicant is confident that the Project poses no risks to groundwater. As described in the Hydrogeological Report included in Application Exhibit M and as mentioned in Ohio EPA's letter, the depth to water is greater than 30 feet below the ground surface and a layer of glacial till consisting of sand, gravel, boulders, and clay is present between the ground surface and the aquifer ranging from 20 to 70 feet in thickness. The principal groundwater source for landowners in the area (versus the Village of Quincy) is from limestone aquifers at depths greater than 225 below ground surface. The Project will not store hazardous substances onsite, none of the oils used within the electrical substation and medium voltage step-up transfers will contain non-polychlorinated biphenyls ("PCBs") or other hazardous components, and a spill control plan will be prepared if applicable. Therefore, it is highly unlikely that the operation of the Project will impact public or private water supplies.

3. **In a call with Ohio EPA, OPSB Staff and Clearview Solar on 3/30/2021, Clearview had indicated that it had reached out to Quincy's representatives. Also, in that call Clearview Solar had expressed a willingness, possibly as part of its emergency response plan, that in the event of large damage to the solar farm, Clearview would keep Quincy informed of the situation and status of clean-up. Please explain Clearview's coordination with Quincy to date and any commitment to keep Quincy and/or other local officials informed about any solar panel damage events and cleanup.**

Response: The Applicant spoke to a representative of the Village of Quincy about drinking water sources prior to the submission of the Application. The Applicant continues to reach out to the Village of Quincy by phone and email to engage in a more detailed dialogue, address any concerns, and coordinate on a future emergency response plan. To date, the Applicant has not received any response from the Village of Quincy to these follow-up communications. The Applicant plans to continue to reach out to the Village of Quincy, and has asked representatives at Ohio EPA to pass along to the Village of Quincy our contact information and desire to directly coordinate with it on development of the Project's emergency response plan.

Ecological

4. **For the one underground collection line stream crossing, will Clearview Solar be performing an HDD underneath the perennial stream (Indian Creek) or open cutting the stream?**

Response: As described in Table C-4 to the Ecology Impact Assessment, which is part of Application Exhibit Q, the Applicant plans to install the underground collection line crossing Indian Creek by the open cut method but could later decide to use horizontal directional drilling ("HDD") instead so long as it is a suitable method of crossing.

Respectfully submitted,

/s/ Christine M.T. Pirik

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Summary: Response to Fourth Data Request from Staff of the Ohio Power Siting Board electronically filed by Christine M.T. Pirik on behalf of Clearview Solar I, LLC