

From: [Puco ContactOPSB](#)
To: [Puco Docketing](#)
Subject: public comment 16-2443-EL-BGN, 18-0090-EL-BGA, 20-0033-EL-BGA, and 21-0182-EL-BGA
Date: Tuesday, February 22, 2022 7:24:06 AM

From: Leatra Harper <wewantcleanwater@gmail.com>
Sent: Sunday, February 20, 2022 11:31 AM
To: Richter, Audrey M CIV USARMY CELRH (USA) <Audrey.M.Richter@usace.army.mil>
Cc: Kallipolitis, Harry <Harry.Kallipolitis@epa.ohio.gov>; Raab, James <James.Raab@dnr.ohio.gov>; Siegley, Carol <Carol.Siegley@epa.ohio.gov>; Taulbee, Rachel <Rachel.Taulbee@epa.ohio.gov>; Langdon, Jessica <Jessica.Langdon@epa.ohio.gov>; Butler, Matthew <matthew.butler@puco.ohio.gov>; ROBINETTE, Lee A CIV USARMY CELRH (USA) <Lee.A.Robinette@usace.army.mil>; Gregg, Anne <Anne.Gregg@odh.ohio.gov>; Buck-Priddy, Allison <Allison.Buck-Priddy@odh.ohio.gov>
Subject: Guernsey Power Station LRH-2017-244 Followup

Dear Ms. Richter:

I am forwarding prior communication for your review and registering another complaint on behalf of the Youngs, this time due to severe flooding that has taken place as a result of all the fill work that has been done at the Guernsey Power Station. Some flooding may also be due to the fill work done at the Cambridge Industrial Park in Derwent for the GPS. As you can see from the pictures of the Youngs' property taken today and yesterday, there is now severe flooding on their property, which was not in a floodplain when they purchased the property. Kevin has lived in the area for 40 years and has never seen flooding like this, except in 1998 when 8 inches of rain fell at once. This flooding took place after 1.5 - 2" of rainfall. This indicates severe problems with surface water, and potentially subsurface pressurization, that has fouled their drinking water as well. I have copied below prior correspondence from the Ohio Department of Natural Resources in that regard.

A copy of prior correspondence is forwarded, and pictures are attached. I have also sent an email to OEPA that the flooding at the Pleasant City Sewer Treatment plant appears to have caused it to overflow. I am also copying in Matt Butler of the PUCO. We have also requested a full review of all permits and permit modifications be done by the PUCO. I am also copying in the Ohio Department of Health because of groundwater contamination and the contamination to Wills Creek, the drinking water source for Cambridge and surrounding area.

We are requesting your assistance or lead in a review of all permits and permit modifications for the Guernsey Power Station. We also believe that fill is being dumped on private property that is causing additional harm. In our prior conversation, you stated that I should contact the OEPA Division of Surface Water, which I did, but they said this was not their jurisdiction. We are trying to find out who has responsibility for the unauthorized fill that has been done for the Guernsey Power Station, or if authorized, who is then responsible to remediate the damages caused by such an authorization. I am also cc'ing in the OEPA SE District Office and the ODNR. We are hopeful someone will initiate an inter-agency review of all harmful resultant impacts to surface and ground water by the mine stabilization, fill work and construction of the Guernsey Power Station. It appears that no one agency is responsible, so we are hopeful that agencies can work together or future flooding and

water contamination to Wills Creek will likely become much worse.

Your urgent attention to this serious matter is appreciated.

Best,
Lea Harper
Managing Director
FreshWater Accountability Project
www.FWAP.org
419-450-7042 (cell)

----- Forwarded message -----

From: **Leatra Harper** <wewantcleanwater@gmail.com>
Date: Thu, May 27, 2021 at 3:47 PM
Subject: Fwd: Guernsey Power Station Complaint and Public Records Request
To: <Audrey.M.Richter@usace.army.mil>, <Adam.Schroeder@dnr.ohio.gov>

Forwarding this from the ODNR fyi. Adam, can I please enter a public records request for all the notes and records pertaining to this water issues at the Guernsey Power Station? Do you need additional information? The USACE told me to contact the OEPA about non-point discharge of water at the GPS, so I want to share with them. Thanks!

Lea

----- Forwarded message -----

From: **James.Raab@dnr.state.oh.us** <James.Raab@dnr.state.oh.us>
Date: Wed, May 27, 2020, 2:29 PM
Subject: Re: Guernsey Power Station Complaint
To: Leatra Harper <wewantcleanwater@gmail.com>

Ms. Harper,

I helped Janie Moore and her father with the groundwater resources in the area months ago. That is what I do at the ODNR Division of Geological Survey, groundwater flow and occurrence. They are in an area with limited groundwater resources. We determined that the grouting of the mine void would not be diverting water from their dug well. Recharge to their well would be from precipitation that fell to the south and southwest of their property. Any rerouting of surface water in this area could be impacting recharge to their well. I did have some communication with the environmental consultant for GPS at the time and shared this information with him. All of my notes on this are at the office and I am working from home and I do not remember who I talked to from the company.

We do not have jurisdiction to investigate any of the complaints that are in the e-mail below. I

tried calling Janie Moore yesterday morning but did not get an answer. I will try to call her again this afternoon.

It would appear that Mr. Moore's septic system is malfunctioning and that is what is coming up in the floor drain. The grout that the GPS should be using would not be that fluid to travel up from the mine void to the land surface. The county health department would have jurisdiction concerning the septic system. They might be able to come out and sample the material coming up the floor drain.

Issues like the rerouting of the water and the dust control should be part of the construction permit. I am not sure who has authority to enforce these issues. There is nothing that the ODNR Division of Geological Survey has authority to investigate or enforce concerning this site.

if you have any questions, please let me know.

Jim Raab
Geology Program Supervisor
ODNR Division of Geological Survey

From: Leatra Harper <wewantcleanwater@gmail.com>

Sent: Saturday, May 23, 2020 11:18 AM

To: Raab, James <James.Raab@dnr.state.oh.us>

Cc: Janie Moore <janiex32@gmail.com>

Subject: Guernsey Power Station Complaint

Dear Mr. Raab,

We have been in receipt of multiple landowner complaints from the property adjacent to the construction site of the GPS. Janie Moore and her father, Howard, have had their drinking water compromised to the extent they are not able to use it, even for bathing. They have also lost water completely in their well, and now their septic seems to be having issues, which is draining from Howard's home very slowly. There is contamination coming through the basement drain which has a diesel-like smell and is grey and slimy and made Janie so sick she ended up in the emergency room. They wonder if it is drilling fluid that is coming up through the basement.

The family is also concerned about methane releases and any risk for explosion because the neighbor, Marlene Young, told Janie that the wetlands were bubbling because the water is being re-routed behind their house, and they think it is methane. Apparently, they called the ODNR, and someone called them back, who they think was the company. and who hung up on them. They need someone to come out to test to see if there is methane coming into Janie's dad's basement and at the neighbor's home. Also, at Howard's home, there are also reports of from his girlfriend, Darla Bishard, that she has smelled "rotten eggs" in Howard's kitchen and outside. I am concerned it could be hydrogen sulfide.

Yesterday, the family had to stay inside because of poor air quality, and they could taste the airborne materials in their mouths.

This is all I have for now. Janie said she called and left a message for you yesterday at 614-265-6747. Her phone number is 740-255-3803. Janie will try to get her number so you could call her as well. More information can be found on Janie's FB page: <https://www.facebook.com/janie.moore.3194>

Thank you so much in advance for your assistance in this matter.

Best,
Lea Harper
Managing Director
FreshWater Accountability Project
www.FWAP.org
419-450-7042

----- Forwarded message -----

From: **Leatra Harper** <wewantcleanwater@gmail.com>
Date: Thu, May 27, 2021 at 12:52 PM
Subject: Re: [Non-DoD Source] Fwd: Power plant
To: Richter, Audrey M CIV USARMY CELRH (USA) <Audrey.M.Richter@usace.army.mil>
Cc: ROBINETTE, Lee A CIV USARMY CELRH (USA) <Lee.A.Robinette@usace.army.mil>

Thanks! I will have Kevin on the call with us.

On Thu, May 27, 2021, 12:40 PM Richter, Audrey M CIV USARMY CELRH (USA) <Audrey.M.Richter@usace.army.mil> wrote:

Good morning Ms. Harper,

Thank you for your email. My supervisor, Ms. Lee Robinette, and I will contact you at 2:30 today. We will contact you at the number provided in your email below.

Thank you,

Audrey Richter
Regulatory Project Manager
Section 408 Coordinator
U.S. Army Corps of Engineers
Huntington District- Regulatory Division
O: 716-879-4469

C: 618-202-0492

Email: Audrey.M.Richter@usace.army.mil

From: Leatra Harper <wewantcleanwater@gmail.com>

Sent: Thursday, May 27, 2021 11:30 AM

To: Richter, Audrey M CIV USARMY CELRH (USA) <Audrey.M.Richter@usace.army.mil>

Subject: [Non-DoD Source] Fwd: Power plant

Dear Ms. Richter,

Can you please give me a call ASAP at 419-450-7042? I am afraid the Youngs are in such an untenable situation at the Guernsey Power Station that it will harm them even more. Someone must go see them ASAP to help. The wetlands have been destroyed and have not been recreated, unless you count what was done on their property. The sewer line to the plant was illegally placed on their property. We have to have someone come investigate ASAP.

Thanks,

Leatra Harper

----- Forwarded message -----

From: **Leatra Harper** <wewantcleanwater@gmail.com>

Date: Tue, Jan 12, 2021 at 9:55 PM

Subject: Fwd: Power plant

To: <Audrey.M.Richter@usace.army.mil>

Dear Ms Richter,

We spoke some time ago when you called about the problems the Kevin Young family has had at the Guernsey Power Station, especially with the re-routing of water that has been done. I believe you were going to visit the Youngs and take a look to verify what has been documented as a complaint and a possible violation of permits. The Youngs have said they have not heard from the Army Corps about this. In an email you sent to Tom Grace dated 11/10/20, you requested aerial photo's and a narrative. Have you received the information requested by 11/24/20 (see attached email)? If so, can you please provide the results of your review?

In addition, I would like to forward additional information from the Youngs that may help with your review, including the attached maps. I have copied them here. I hope you can get in touch with them to help resolve these issues, which we believe documents permit violations.

Thank you,

Lea Harper

Managing Director

FreshWater Accountability Project

www.FWAP.org

419-450-7042 (cell)

I have a photo showing what Gemma is calling a haul road for their off road trucks and dozers. As you can see off to the right is railroad tracks way above that little road. Now they filled the road way above the railroad tracks and widened it to about 30ft wide. hTe one with four wheeler is behind April's house. It was flood plain until they filled it 20ft. You can barely see that hill - the tower is on now - the one with water on it is wetlands. It's just about 1000ft south of me -it's all filled about 30ft

Sat 5:34 PM

You sent Yesterday at 5:34 PM

Good documentation. Has the Army Corps called you about this?

Sat 6:36 PM

Kevin sent Yesterday at 6:36 PM

Never hear from them

You sent Yesterday at 7:27 PM

They were supposed to....

3:20 PM

Kevin sent Today at 3:20 PM

Good afternoon it's a beautiful day just thought I'd show you how thing's work in Guernsey County. I'm sure you already know that. The first map is a map before they started the plant. It's an older map. I've went way back and I can't find any more, There used to be maps. It's showing my horse track is not in wetlands, and the wetlands were way down by Brent Ball's building where it went from east side of railroad tracks through 12in culvert under that little road along side of railroad tracks. What water the 12in couldn't handle went north. I have photo's of that. Brent Ball put that 12in culvert in so he wouldn't get the water. To do that, he tied his 12in into a 36in culvert that belongs to the railroad that goes under tracks to west side and drains on me. Brent couldn't have a bigger culvert in or he would need to raise the road up so when Gemma comes along they raised the road way up and put a big culvert in then filled the north so all water would be forced onto me. Gerry Beckner, the EMA, was here when they were doing it. She said they can't do that. Her direct word's was, "I see right now this is a civil suit." They're having a meeting this week. Chris from Gemma was going to be there and they're going to tell him he needs to tell Tim Casey they should have bought us out. Now if you look at my permit maps, they're last year's maps, how did my track move and wetlands and flood plain move compared to the original maps, plus if you read my permits I can't fill. I can only dig a hole and put it somewhere else.

You sent Today at 3:38 PM

I am glad you have that original map. I still don't think they had a permit to drain all that onto your property. That's why the Army Corps needs to get involved. I would love to have a map of that to send to them. I will followup with them next week.

Kevin sent Today at 4:39 PM

Ok thanks. I thought maybe the army engineers might want to look into this if they were given bad maps. It's all on paper there if you study it really closely. They all say this was a 100yr mistake. It is to their good for me to take the water and as far as the ditch goes that's for the railroad tracks not a public water way. That's why the railroad ditch won't handle all the water I told them that a year ago but they just walk right over you

You sent Today at 4:44 PM

And who was it you told a year ago? Gemma?

6:47 PM

Kevin sent Today at 6:47 PM

No it was Brent Ball. When he was speaking and he told me Army Engineers told him. Before he told me that let me remind you highway 77 runs along the side of all this property. This took place before Gemma got all there permits. I was paving highway 77 right beside this property. I told the guys working with me look what Brent Ball is doing over there - he is digging a ditch almost 2mi long rights towards my property with a back hoe. It took him almost 2months because we were on the highway for 3months. I got all those guys for witness. I never thought no more about it until about a month after he did that and I was putting up hay on my property. I saw a lady walking through Brent Ball's field where he was putting that ditch. She was yelling for someone. I asked her if I could help her because there was no one down there. She replied no, she was meeting people down here to look at that property. So I go about my business - another 4 months goes by, and I start seeing orange stakes going up over there so I start reading and researching how Gemma can get their permits. They just so happen to find a path the water travels on and that's the one Brent Ball put in with his back hoe that's very dirty. I also wonder if the lady I saw was with army engineers. That's when I quit talking to Brent Ball

You sent Today at 6:55 PM

Interesting...very interesting. Who was the "lady" yelling at?

Kevin sent Today at 7:17 PM

That's what I say, but it wasn't Brent Ball, it was the army engineers. I have no clue but about 1/2hr later about 5 other people showed up. This is what gets me - all people want to do is look at pictures and map's they have no clue what's going on here but I do - I've lived here 43years and I know.

You sent Today at 7:42 PM

Did Geri say that Brent Ball was authorized to dig that ditch?

Kevin sent Today at 7:48 PM

No actually it was never brought to her attention as far as I know

Kevin sent Today at 8:27 PM

All yes before I forget Geri did tell me when she was down here one time over all this that the water don't go west under the railroad tracks it's supposed to go north. Someone must be over her because it's going west now. It's hard to remember all this at once. I was in bed and just remembered thought I better tell you before I forget

[FP-2008 - Young - Seneca Lane - Permit.pdf](#)

[FB_IMG_1610300154170.jpg](#)

Sorry this is the only way I could get the my permit map's to show up and I already explained it all on messenger first maybe you read it then look at this you'll understand

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2/23/2022 8:50:22 AM

in

Case No(s). 16-2443-EL-BGN, 18-0090-EL-BGA, 20-0033-EL-BGA, 21-0182-EL-BGA

Summary: Public Comment of Lea Harper, Managing Director, FreshWater
Accountability Project, via website, electronically filed by Docketing Staff on behalf
of Docketing