

August 23, 2022

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

Re: In the Matter of the Application of Duke Energy Ohio, Inc., for a Construction Notice for
the 138kV/345kV Byer Steel Project
OPSB Case No. 22-451-EL-BNR

Dear Ms. Troupe:

Please see attached correspondence regarding the flood permit for the above-referenced case.

This letter and corresponding attachment satisfy Condition 4 of the Staff Report in the above-referenced case.

Please let me know if you have any questions.

Sincerely,

/s/ Emily A. Olive, CP

Emily A. Olive
Certified Paralegal

Olive, Emily A.

Subject: RE: [EXTERNAL] RE: [External Email] Byer Steel - No Floodplain requirement required (TOH2145 - OPSB: 22-0451Data Request)

From: Martin, Robert <Robert.Martin@cincinnati-oh.gov>

Sent: Thursday, August 18, 2022 1:30 PM

To: Vandewater, Dane G <Dane.Vandewater@duke-energy.com>

Subject: RE: [EXTERNAL] RE: [External Email] Byer Steel - No Floodplain requirement required (TOH2145 - OPSB: 22-0451Data Request)

I am saying it doesn't require a floodplain development permit.

Depending on the scope of work and use, it may require a building permit if it's not permitted by the Ohio Power Siting Board (OPSB).

From: Vandewater, Dane G <Dane.Vandewater@duke-energy.com>

Sent: Thursday, August 18, 2022 11:08 AM

To: Martin, Robert <Robert.Martin@cincinnati-oh.gov>

Subject: RE: [EXTERNAL] RE: [External Email] Byer Steel - No Floodplain requirement required (TOH2145 - OPSB: 22-0451Data Request)

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Bob,

Can you clarify your response?

Is a permit required for the placement of temporary construction matting within the 500-year floodplain?

Thanks!

Dane G. Vandewater

Lead Transmission Permitting Mgr | Siting, Permitting & Engagement

315 Main Street

Mail Code EX 0446-06

Cincinnati, OH 45202-4161

Office: 513.287.1041 | Cell: [REDACTED]

Dane.Vandewater@duke-energy.com



From: Martin, Robert <Robert.Martin@cincinnati-oh.gov>

Sent: Thursday, August 18, 2022 9:53 AM

To: Vandewater, Dane G <Dane.Vandewater@duke-energy.com>

Subject: [EXTERNAL] RE: [External Email] Byer Steel - No Floodplain requirement required (TOH2145 - OPSB: 22-0451Data Request)

***** CAUTION! EXTERNAL SENDER *** STOP. ASSESS. VERIFY!!** Were you expecting this email? Are grammar and spelling correct? Does the content make sense? Can you verify the sender? If suspicious report it, then do not click links, open attachments or enter your ID or password.

See highlight below. I didn't say "no permit". I said it doesn't need to conform to the floodplain development requirements.

From: Vandewater, Dane G <Dane.Vandewater@duke-energy.com>

Sent: Monday, August 15, 2022 1:13 PM

To: Martin, Robert <Robert.Martin@cincinnati-oh.gov>

Cc: Dahlberg, Art <art.dahlberg@cincinnati-oh.gov>; Giesler, Dustin <Dustin.Giesler@duke-energy.com>

Subject: [External Email] Byer Steel - No Floodplain requirement required (TOH2145 - OPSB: 22-0451Data Request)

Importance: High

Some people who received this message don't often get email from dane.vandewater@duke-energy.com. [Learn why this is important](#)

External Email Communication

Bob,

Thanks for returning my call and glad to hear that you are on the mend. Per our discussion about our project (Byer Steel – Transmission Line Relocation) and the requirement for any floodplain permit which is going through the Ohio Power Siting Board (OPSB) review process. That based on the scope and the only work proposed is putting temporary matting down for access/work space for equipment and vehicles in the 500-year floodplain is not an activity that requires a floodplain permit.

The scope of the activity with this area is the placement of temporary construction matting at the base of the existing lattice tower (P17-X31-319) to provide sufficient space for the equipment needed for the transfer of the lines between the existing lattice tower and the new steel monopole structure south of the Mill Creek and outside of the 100-year floodplain. The temporary construction matting will be located within the 500-year floodplain (as shown on Figure 2.01), which as you indicated is an area which the **City of Cincinnati does not require any permitting**. This matting will be installed and removed in a short timeframe. As we discussed the 500-year floodplain is not regulated per the Chapter 1109 of the Cincinnati Building Code and no permit is required.

Can you confirm that this is an accurate summary of our conversation and confirm no floodplain permit is necessary for this project?

We'd like to provide this information back to OPSB staff as they have requested information about how we were addressing the potential floodplain permitting requirements.

Have a great afternoon & I hope you are feeling much better in the near future.

Thanks!

Dane G. Vandewater

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315 Main Street

Mail Code EX 0446-06

Cincinnati, OH 45202-4161

Office: 513.287.1041 | Cell: [REDACTED]

Dane.Vandewater@duke-energy.com

**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

8/23/2022 9:28:25 AM

in

Case No(s). 22-0451-EL-BNR

Summary: Correspondence Construction Notice for the 138kV/345kV Byer Steel Project electronically filed by Mrs. Tammy M. Meyer on behalf of Duke Energy Ohio Inc. and D'Ascenzo, Rocco and Kingery, Jeanne and Akhbari, Elyse Hanson and Vaysman, Larisa