

COMMONWEALTH OF KENTUCKY
BEFORE THE KENTUCKY STATE BOARD ON
ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

APPLICATION OF SUNCOKE ENERGY)	
SOUTH SHORE LLC FOR A CERTIFICATE)	CASE NO.
TO CONSTRUCT A MERCHANT ELECTRIC)	2014-00162
GENERATING FACILITY AND NON-)	
REGULATED ELECTRIC TRANSMISSION)	
LINE)	

SITING BOARD STAFF'S FIRST REQUEST FOR INFORMATION
TO SUNCOKE ENERGY SOUTH SHORE LLC

Siting Board Staff requests that, pursuant to 807 KAR 5:001, SunCoke Energy South Shore LLC ("SunCoke") file with the Siting Board the original and six copies of the following information. The information requested herein is due no later than December 15, 2014.

Responses to requests for information shall be appropriately bound, tabbed and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

SunCoke shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which SunCoke fails or refuses to furnish all or part of the requested information, it shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

1. Refer to the Application, Section 2.4 – Proposed Radial Tie Line, page 5. In the third paragraph, it states, “The remaining portion of the line would be located in Ohio and would cross over a highly-developed and disturbed area before terminating at the AEP Millbrook Park substation.” Explain what is meant by “high-developed and disturbed area.”

2. Refer to the Application, Section 6.0 – Public Involvement Activities, page 17. The first and last bullets on this page refer to formal responses made to the U.S. Army Corps of Engineers and the Kentucky Division of Air Quality, respectively. Provide a copy of the responses.

3. Refer to the Application, Exhibit A – Property Survey Map. The property for SunCoke is referred to as the John R. McGinnis et-ux property and part of the Kathy Reid property in the title to the map.

a. Has SunCoke purchased any of the property? If so, submit a copy of the deed.

b. Does SunCoke have a contract with either or both parties for an intent to purchase? If so, submit a copy of each contract.

4. Refer to the Application, Exhibit A – Property Survey Map. There is a reference to an adjacent property as “Commonwealth of Kentucky, D.B. 264, PG. 105.”

a. Submit a copy of the deed for “Commonwealth of Kentucky, D.B. 264, PG. 105.”

b. Submit a map from the Greenup County Property Valuation Administrator (or a map using their GIS data for parcels), which includes U.S. 23 and the parcels directly across U.S. 23 from SunCoke’s parcel. Include the owner names and tax parcel numbers.

c. The boundary line between the Commonwealth of Kentucky and SunCoke’s property is referred to as a “R-O-W LINE.” Is the Commonwealth of Kentucky the owner of the right of way for U.S. 23?

d. How wide is the right of way for U.S. 23?

5. Refer to the Application, Exhibit B1 – Letters to Property Owners.

a. A letter was sent to Paul Don Gibson and Kimberly G. Gibson. Why was a letter sent to the Gibsons?

b. A letter was sent to Anna M. Neal. Why was a letter sent to Ms. Neal?

c. Why were no letters sent to adjacent property owners Jimmie and Verna Williams and John McMahon (see Exhibit A – Property Survey Map)?

6. Refer to the Application, Exhibit C1 – Confirmation of No Ordinances for Zoning. Provide signed and notarized copies of the affidavits.

7. Refer to the Application, Exhibit E3 – Public Meeting Presentation, page 23. This page shows that customer commitments were expected to be secured in late 2014. Provide the status of SunCoke's efforts to secure customer commitments.

8. Refer to the Application, Exhibit E3 – Public Meeting Presentation, page 24.

a. This page shows that the construction period will average over 500 workers with a projected peak of over 900 workers. Section 10.0 – Local Economic Impact, page 21, of the application states that there will likely be 400 workers during construction with a peak of approximately 600 workers. Explain the discrepancy and state which is accurate.

b. This page states that annual salaries will be over \$7 million. Section 10.0 – Local Economic Impact, page 21, of the application states that wages and benefits will be approximately \$9 million. Explain the discrepancy and state which is accurate.

c. This page states that “[u]p to 50% of the coal charge may be Kentucky metallurgical coals.” State whether it is possible that no Kentucky coal will be used.

9. Refer to Exhibit H – Site Assessment Report (“SAR”), Section 1.2 – Surrounding Land Uses, pages 2-3, which states, “Access to the subject property is via Johnson’s Lane along the eastern boundary and via a drive off of Route 23 along the southern boundary.”

- a. Provide a description of Johnson's Lane.
- b. Provide a description of the drive off of Route 23 along the southern boundary that will provide access to the subject property.
- c. Refer to Exhibit H – SAR, Exhibit H5 – Summary of Rail Impact Considerations – Rail, Road & Logistics Review Meeting (Minutes of Meeting), dated September 27, 2013, page 4. Section 4 describes improvements to Johnson's Lane.

(1) Does SunCoke intend to widen Johnson's Lane in the manner described in this section?

a. If so, will Greenup County conduct the actual construction in widening Johnson's Lane?

b. Who will fund this construction?

c. Provide a timeline for this construction.

(2) On page 5 of this section, under 4.6, it states "Should it be decided that the existing width is not sufficient, SunCoke will need to address it with KYTC." Does "KYTC" refer to the Kentucky Transportation Cabinet?

d. Provide a projection of the volume of truck traffic along the southern portion of Johnson's Lane (between the rail crossing and U.S. Highway 23).

10. Refer to Exhibit H – SAR, Section 1.4 – Proposed Access Control.

a. Describe, in more detail, planned access control and security at the site during construction to handle the large volume of temporary workers and material shipment.

b. How would access to the gates be controlled?

c. How would the gates be monitored?

d. How would authorized personnel be identified?

e. Provide clarification of the basis or rationale for the proposed methods for controlling access to the site. For example, do these reflect SunCoke's standard corporate policy or a security assessment that SunCoke may have conducted?

11. Refer to Exhibit H – SAR, Section 1.8 – Compliance with Applicable Setback Requirements. In the third paragraph on page 7, it states, in part, “The bridge overpass spanning the CSX rail was originally intended for Johnson’s lane [sic] which caused concern to Graf Brothers.”

a. Was Graf Brothers concerned about the potential increased traffic on Johnson’s Lane that could occur because of the bridge overpass? If so, explain in detail.

b. Has Graf Brothers expressed concern regarding the anticipated use of Johnson’s Lane during the construction and operation of the proposed facility? If so, explain in detail.

c. Has SunCoke attempted to develop an agreement with Graf Brothers to coordinate traffic and use of Johnson’s Lane during construction and operation of the proposed facility? If so, provide a description of that agreement and, if it has been reduced to writing, provide the agreement.

12. Refer to Exhibit H – SAR, Section 1.9 – Evaluation of Noise Levels, and Section 4.0 – Anticipated Noise Levels at Property Boundary. Provide an explanation of the rationale behind the locations selected for noise measurement and the propagated noise level locations.

13. Provide an explanation of the type of noises that may arise outside of normal operations, including but not limited to safety whistles that sound during the opening of the coke ovens, the frequency with which these noises occur, and how loud these noises will be.

14. Refer to Exhibit H – SAR, Section 1.9 – Evaluation of Noise Levels.

a. Provide a description of the “negligible increase” on the noise levels the proposed facility would have on the area, particularly in reference to the Sand Hill community directly south of the proposed site.

b. Provide a comparison of the background noises that exist in the vicinity of the proposed site and the anticipated noise from the construction and operation of the proposed facility.

c. Provide comparisons of the anticipated continuous noise created by the operation of the proposed facility to the anticipated peak noise created by the operation of the proposed facility.

d. Provide comparisons of anticipated ambient noise created by the construction and operation of the proposed facility during daytime hours to anticipated ambient noise created by the construction and operation of the proposed facility during nighttime hours.

15. Provide a description of any potential odors that might emanate from the proposed facility.

16. Refer to Exhibit H – SAR, Section 3.0 – Potential Changes in Adjacent Property Values, page 11. It states, “Because of the appropriate selection of this site and the significant setback distance from US 23, the facility is anticipated to have a

marginal but positive effect on community property values.” Explain how the selection of the site and setback from U.S. 23 will have a positive effect on property values.

17. Refer to Exhibit H – SAR, Section 5.0 – Road, Rail and Fugitive Dust, Section 5.2 – Road Impacts, page 13, which states, in part, “Construction vehicles and heavy equipment would utilize Johnson’s Lane during construction.”

a. Provide a schedule indicating the time of day and frequency of the projected use of Johnson’s Lane by construction vehicles and heavy equipment.

b. Provide a comparison of the number of construction vehicles which will be used to the average daily traffic volume on U.S. Highway 23.

18. Refer to Exhibit H – SAR, Exhibit H2 – Conceptual View Sheds.

a. Provide a conceptual view shed of the proposed SunCoke facility from the perspective of the Sand Hill community, which is directly south of the proposed site on the other side of U.S. Highway 23.

b. Identify the blue building in the foreground of the picture on the second map.

19. Refer to the Application, Exhibit J – Proposed South Shore 138 kV Radial Tie Line Feasibility Study, Section 5.1 - Identified Routes and Evaluation, page 9.

a. This page states that Route 1 (which is the route ultimately chosen) is 1.2 miles and that 0.9 miles of the route is located in Kentucky. In the Application at Section 2.1 – Proposed Electric Generating Facility – General Information, page 3, it states that 0.7 miles of the radial tie line would be located in Kentucky. Explain the discrepancy and state which is accurate.

b. Exhibit J, Section 5.0, page 9, also states that “Route 1 has the greatest number of previously recorded archaeological sites within 100 and 1,000 feet (4 and 14 respectively). Impacts to archaeological sites can often be avoided or minimized by the location of the transmission line structures during the detailed design process.” State whether the impacts to the 18 archaeological sites have been minimized. If so, explain how the impacts were minimized.

20. Refer to the Application Exhibit J – Proposed South Shore 138 kV Radial Tie Line Feasibility Study, Section 5.2 – Route Ranking and Results, Table 2 on page 14. Under the Land Use heading, Route 1 is shown as crossing one property in Kentucky. Confirm that the property crossed is that which is owned by SunCoke. If this cannot be confirmed, identify the property to be crossed.

21. Refer to the Application, Exhibit J – Proposed South Shore 138 kV Radial Tie Line Feasibility Study, Section 6.0 – Conclusion, page 15. The first paragraph states, “[w]hile cultural resource issues may create potential delays and additional costs, they do not appear to represent fatal flaws, based on the data gathered to date.” Identify the “cultural resources issues” to which this statement refers.

22. Refer to SunCoke’s Motion for Deviation from Setback Requirements, page 6, which states that “SunCoke would also install a ‘green belt’ surrounding the exterior view of the plant.” Provide details of the green belt to be installed.

23. Refer to SunCoke’s Motion for Deviation from Setback Requirements, page 7, which states that “SunCoke is currently working with the Kentucky Department of Transportation on a bridge overpass from U.S. 23 over the CSX railroad into the plant.”

a. Submit any written documents, agreements, plans, minutes from meetings, and correspondences with the Kentucky Department of Transportation concerning construction of the bridge overpass.

b. What is the timeline for construction of the bridge overpass? Would it be completed in time for operation of the plant?

c. How will the construction of the bridge overpass be funded?

d. How will the necessary changes to the electric lines paralleling the railroad in the vicinity of the proposed bridge overpass and footbridge be funded? Submit any documents or minutes from meetings with the electric company.

24. Refer to the Application, Exhibit H2 – Conceptual View Sheds. When was the residence on the Gibson property built? When did Graf Brothers begin operations on the DGGG Realty site?



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