

BEFORE THE ENVIRONMENTAL REVIEW APPEALS COMMISSION

Sustainable Medina County)	Docket No.
P. O. Box 1033)	
Wadsworth, OH 44282,)	Facility ID: 0448002148
)	Permit Number: #P0119280
Appellant,)	
)	October 7, 2016
-vs-)	
)	
Craig Butler, Director)	
Ohio Environmental Protection Agency)	
P.O. Box 1049)	
Columbus, Ohio 43216-1049,)	
)	
Appellee.)	
)	
)	

**NOTICE OF APPEAL OF SUSTAINABLE MEDINA COUNTY (SMC)
OF ISSUANCE OF PERMIT-TO-INSTALL AND OPERATE #P0119280
FOR WADSWORTH COMPRESSOR STATION**

Notice is hereby given that the Appellant in this appeal, Sustainable Medina County (“SMC”), an unincorporated association, on behalf of its adversely affected and aggrieved members, including but not limited to Gary Freed, Michael Smith, Theresa Leibold and Richrd Leibold,, hereby appeals to the Ohio Environmental Review Appeals Commission from the issuance of Final Air Pollution Permit to Install and Operate (“PTIO”) #P0119280 to “Reagan Mayces/Wadsworth Compressor Station” on September 9, 2016. The PTIO was issued for the installation and operation of the Wadsworth Compressor Station near Wadsworth, Ohio. The Wadsworth Compressor Station, upon information and belief, will actually be installed and operated by NEXUS Gas Transmission, LLC as part of the NEXUS Gas Transmission Project, a 250-mile-long natural gas pipeline.

Appellant hereby requests an adjudication hearing.

Gary Freed, Michael Smith, Theresa Leibold and Richard Leibold are designated members of SMC for purposes of establishing organizational standing for SMC to proceed on their behalves. If for any reason SMC is not recognized as a proper organizational entity with authority to represent its members, then alternatively, Gary Freed, Michael Smith, Theresa Leibold and Richard Leibold bring this appeal on their individual behalves and request that their bases for standing as well as the substance of their appeal be considered on their and its merits.

A copy of Permit to Install and Operate #P0119280 is annexed hereto as “Exhibit A” and is incorporated fully herein by reference as though rewritten.

I. CONTACT INFORMATION FOR COMMUNICATIONS AND SERVICE

All communications, pleadings, and orders with respect to this proceeding should be sent to the following counsel of record for SMC and the individuals Freed, Smith and the Leibolds:

Terry J. Lodge, Esq.
316 N. Michigan St., Ste. 520
Toledo, OH 43604-5627
(419) 255-7552
Fax (440) 965-0708
tjlodge50@yahoo.com

II. BACKGROUND AND PROCEDURAL HISTORY

Reagan Mayces/Wadsworth Compressor Station, presumably on behalf of NEXUS Gas Transmission, LLC, has obtained an Ohio Administrative Code (OAC) Chapter 3745-31 Final Air Pollution Permit-to-Install and Operate (PTIO) for the Wadsworth Compressor Station, to be located in Guilford Township, Medina County, Ohio.

The NEXUS Gas Transmission Project is a proposed greenfield commercial pipeline which will utilize new pipeline construction and the capacity of third-party pipelines to provide

for the transportation of 1.5 million dekatherms per day (“th/d”) of Appalachian Basin shale gas, including Utica and Marcellus shale gas production, to the Dawn Hub in Ontario, Canada. Through interconnections with existing pipelines, the sponsors of the pipeline assert that gas supply from the NEXUS Project will also be transported to the Chicago Hub in Illinois, and other Midwestern markets.

The United States portion of the NEXUS Project includes new greenfield pipeline in Ohio and Michigan and capacity leased from others in Pennsylvania, West Virginia, Ohio and Michigan, terminating at the United States/Canada international boundary between Michigan and Ontario. The Canadian portion of the Project will extend from the U.S./Canada international boundary to the Dawn Hub.

Sometime in 2015, Reagan Mayces/Wadsworth Compressor Station applied to the Ohio Environmental Protection Agency (“OEPA”) for a Permit to Install and Operate the Wadsworth Compressor Station, located in Medina County, Ohio approximately six (6) miles west of Wadsworth, Ohio and approximately seven (7) miles south of Medina, Ohio. There are residences located 1,800 feet or less west of the compressor station site, residences located 1,840 feet or less west-northwest of the station site; and residences located 2,490 feet or less northeast of the station site.

A public hearing was convened by OEPA on February 16, 2016 in the midst of a public comment period. The PTIO was issued by the Director of OEPA on September 9, 2016 and this timely appeal is taken from that issuance.

There will be air emissions from a number of sources at the Wadsworth Compressor Station, including a 29,517 horsepower turbine compressor pump; an emergency generator with a

natural gas-fired fuel gas heater; fugitive releases from piping components, such as valves and fittings; gas releases, working, breathing, and flashing losses from storage vessels; vapor losses from liquid loading operations; non-routine activities, such as maintenance activities, will require ventings/blowdowns of sections of pipe between valves located along the pipeline.

Besides emitting a toxic stew of volatile organic chemicals (VOCs) and polynuclear aromatic hydrocarbons (PAHs) which are endemic to the process of hydraulic fracturing for oil and gas, the NEXUS Project also will routinely, intentionally and unintentionally, leak fine particulate and radon gas. Radon is a naturally-occurring odorless and tasteless radioactive gas which is produced by the radioactive decay of Radium-226 and is found in uranium ores and shales. Radon is the second-largest cause of lung cancer in the United States, behind smoking. NEXUS Gas Transmission, LLC expects an average concentration of radon of 37 picocuries per liter (pCi/L) at normal atmospheric pressure in the air near the compressor station. That is more than nine (9) times levels of radon deemed relatively harmless by the U.S. Environmental Protection Agency.

NEXUS Gas Transmission, LLC plans to install the following emissions sources at the Wadsworth Compressor Station:

- > a natural gas-fired catalytic heater;
- > a remote reservoir parts washer;
- > roadways from which trucks will emit fugitive particulate emissions;
- > loading facilities on which there will be periodic transfer of condensate liquids, used lubricating oil, and oily water to tanker trucks for shipment off-site;
- > a 29,517 HP (196.51 MMBtu/hr) natural gas-fired Solar Turbine;

- > an 880 hp natural gas-fired emergency electrical generator;
- > gas releases due to periodic maintenance, compressor blowdowns, routine operations (startup and shutdown and reduced pressure demand events) and other miscellaneous releases;
- > five (5) separator vessels;
- > pipeline pigging Gas releases associated with periodic pipeline pigging (maintenance) activities;
- > compressor equipment components from which fugitive emissions will be leaked;
- > three (3) vertical fixed roof storage tanks used to store condensate liquids collected from the pipeline and from station equipment, lubricating oils for the turbine, and to store oily water.

III. IDENTITIES AND INTERESTS OF APPELLANT AND REPRESENTATIVE MEMBERS

A. Sustainable Medina County

Sustainable (“SMC”) is an unincorporated association of persons who are residents from Medina County, Ohio who advocate for local, direct democratic control over energy policy and projects taking place within Medina County. SMC’s address is P. O. Box 1033, Wadsworth, OH 44282, www.sustainablemedinacounty.org. SMC. SMC’s members oppose NEXUS project as being opposed to the public interest. .

B. SMC Member Gary Freed

SMC member Gary E. Freed lives at 3491 Rohrer Road, Wadsworth, Medina County, OH 44281. His residence is located approximately less than one-half mile from the proposed site of the Wadsworth Compressor Station, Medina County, Ohio. If the proposed compressor station is constructed and operates, Mr. Freed will be residing within a recognized “blast zone” radius from

the compressor, and in the course of normal day-to-day operations of the compressor station would be constantly exposed to land and air contamination from station operations. The station's emissions will consist of volatile organic chemicals (VOCs), polyaromatic hydrocarbons (PAHs), and radon gas at levels above the threshold set by the U.S. Environmental Protection Agency for individual health. Mr. Freed opposes the permit for the compressor station because its operation and emissions will be antithetical to his personal health, and to the physical environment within the vicinity of his residence.

C. SMC Member Michael Smith

SMC member Michael B. Smith lives at 8640 Guilford Road, Seville, OH 44273 on an eight-acre tract. His residence is located less than one-half mile from the proposed site of the Wadsworth Compressor Station, Medina County, Ohio. On his land, Mr. Smith grows organic fruits and vegetables which are a mainstay of his family's diet. Mr. Smith's organically-grown food is a necessity to counter the symptoms of long-term illness of his spouse. If the proposed compressor station is constructed and commences operations, Mr. Smith and his spouse will be residing within a recognized "blast zone" radius from the compressor, and in the course of normal day-to-day operations of the compressor station will be constantly exposed to land and air contamination from station operations, which consist of volatile organic chemicals (VOCs), polyaromatic hydrocarbons (PAHs) and radon gas at levels above the threshold set by the U.S. Environmental Protection Agency for individual health. Mr. Smith opposes the permit for the compressor station because its operation and emissions will be inimical to his personal health, that of his spouse, and will pollute the agricultural environment in which they produce their own food.

D. SMC Members Theresa Leibold and Richard Leibold

SMC members Theresa Leibold and Richard Leibold live at 3632 Kalie Circle, Wadsworth, OH 44281. Their residence is located less than 2,000 feet from the proposed site of the Wadsworth Compressor Station, Medina County, Ohio. If the proposed compressor station is granted an OEPA permit, Mr. and Ms. Leibold will be residing within a recognized “blast zone” radius from the compressor, and in the course of normal day-to-day operations of the compressor station would be constantly exposed to land and air contamination from station operations. The air pollution from the compressor station will consist of volatile organic chemicals (VOCs), polyaromatic hydrocarbons (PAHs) and radon gas at levels above the threshold set by the U.S. Environmental Protection Agency for individual health. The Leibold oppose the permit for the compressor station because its operation and emissions will be inimical to their personal health and the physical environment in and about their residence.

IV. GROUNDS/CONTENTIONS ON APPEAL

A. The PTIO has been issued to a nonexistent entity or person outside of Ohio; there is no legal party being regulated

Despite the fact that the PTIO was apparently sought for the convenience of NEXUS Gas Transmission, LLC., so that the compressor station would be a functioning part of the pipeline project, the PTIO was not issued to a legal entity over which the Ohio EPA has control or which might be answerable for violations of statutes and regulations.

The PTIO was sent to “Reagan Mayces, Wadsworth Compressor Station, P.O. Box 1642, Houston, TX 77251-1642,” and not to a person identified as working for NEXUS Gas Transfixion, LLC. In the “Authorization” section of the PTIO, OEPA states:

This document constitutes issuance to:

Wadsworth Compressor Station
Guilford Road
Wadsworth, OH 44281

of a Permit-to-Install and Operate for the emissions unit(s) identified on the following page.

O.R.C. §3745.017(A)(1) defines “environmental law” as “a law that is administered by the environmental protection agency.” A “regulated entity” means “an entity that is regulated under an environmental law.” O.R.C. §3745.017(A)(2). There is no “regulated entity” denominated in the PTIO. The Wadsworth Compressor Station is not a “person” within the definition used by the OEPA.¹ The station is not a legal, “regulated entity.” There is no accountable owner or operator of the compressor station. Were there civil or criminal operations violations, “Wadsworth Compressor Station” would not be an entity which could be charged or cited, fined or sent to jail. The PTIO was issued to a legally nonexistent entity and consequently, it is a legal nullity. The Commission has no choice but to annul or revoke it.

B. The draft permit approves CO, NO₂ and VOC emissions which exceed limits established by OEPA

The permit allows emissions of, among other chemicals, up to 7.81 tons per year of carbon monoxide, 31.2 tons per year of nitrogen oxides, and 29.3 tons per year of volatile organic compounds. But in a table dubbed “Preliminary Emissions Estimates” from a NEXUS slide show entitled “Proposed Air Permitting Strategy” which was presented to the Ohio EPA (April 2015)

¹O.R.C. § 3745.04(A) states: “As used in this section, ‘any person’ means any individual, any partnership, corporation, association, or other legal entity, or any political subdivision, instrumentality, or agency of a state, whether or not the individual or legal entity is an applicant for or holder of a license, permit, or variance from the environmental protection agency, and includes any department, agency, or instrumentality of the federal government that is an applicant for or holder of a license, permit, or variance from the environmental protection agency.”

(slide 21/24 of .pdf), NEXUS stated that the Wadsworth Compressor Station would emit 33 tons of nitrogen oxides, 10 tons of carbon monoxide, and 32 tons of volatile organic compounds.

Appellant and others timely protested, via public comment, this discrepancy. In the “Response to Comments” section of the compressor station PTIO, Ohio EPA staff stated as follows:

The Total Permit Allowable Emissions Summary listed in the Permit Strategy Write-Up section of draft PTIO P0119280 only includes emissions from air contaminant sources contained in the draft permit. No facility-wide emissions limitations were established in the draft air permit for the Wadsworth Compressor Station. The permitted allowable emissions limitations are specific to individual emissions units. Ohio EPA evaluated the emissions calculations for each source during the technical review of the permit application and concluded the emissions units are capable of meeting the allowable emissions limitations established by draft PTIO P0119280.

PTIO at p. 4/66 of .pdf.

The Ohio EPA claims that it permissibly excluded from the total of emissions from the compressor station the emissions from so-called “*de minimis*” sources which are parts of the compressor station apparatus. However, OEPA improperly invoked and applied the *de minimis* rule, OAC § 3745-15-05. The *de minimis* sources may not be subtracted from the emissions total of the compressor station total as claimed by OEPA, and the PTIO must be canceled or revoked because the projected emissions exceed allowable emissions levels.

In granting the PTIO by excluding the pollution contributions from *de minimis* sources, the Ohio EPA further violated OAC § 3745-15-08, which states that “No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate Chapter 3704., 3714., 3734., 3745., 6109., or 6111. of the Revised Code or any rule adopted thereunder.”

The PTIO must be canceled or revoked by the Commission.

C. Projected Formaldehyde Emissions Portend Allergy and Cancer Risks

Formaldehyde inevitably will be discharged by the compressor station equipment during normal operations. Persons living within a quarter mile of the compressor station, such as citizens Smith, Freed and Leibold, may experience nasal and eye irritations and increased risk of asthma and allergy. Residents at one-quarter mile also have an elevated cancer risk from continuous exposure to formaldehyde emissions.

In the “Response to Comments” section of the PTIO, the Ohio EPA stated that it “did perform basic modeling for . . . formaldehyde. . . . using worst-case scenario stack and emission characteristics for each pollutant using a model called AERSCREEN. . . . The modeling results showed that formaldehyde . . . are well below our health thresholds.” PTIO, Response to Comments, p. 8/66 of .pdf. But the OEPA has not provided the actual numerical projected results; it did not include them in the comment responses. Further, the OEPA has not disclosed the assumptions that went into the modeling, such as whether the enormously high, admitted estimate of 260 compressor blowdown events per year was weighed or assumed. The occurrence of 260 blowdowns considerably exceeds the industry average and will cause the emission of considerably more formaldehyde during such events than other compressor stations which do not operate so unstably.

OAC § 3745-15-07(A) makes unlawful the “emission or escape into the open air from any source or sources whatsoever, of . . . fumes, gases, vapors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety

or welfare of the public, or cause unreasonable injury or damage to property.” Such is “found and declared to be a public nuisance.” And “It shall be unlawful for any person to cause, permit or maintain any such public nuisance.”

Moreover, OAC § 3745-15-08 requires that “No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate Chapter 3704., 3714., 3734., 3745., 6109., or 6111. of the Revised Code or any rule adopted thereunder.”

The Wadsworth Compressor Station operations will cause unknown but undisputed formaldehyde pollution and poisoning of surrounding residents. The PTIO should be canceled or revoked in light of this unquantified threat to public health.

D. Unknown toxic levels of benzene will be routinely emitted during normal compressor operations

The draft PTIO contains almost no data or description of the emissions or quantities of chemical toxins which will constantly be released from the compressor station. Benzene will be routinely released from the Wadsworth station. Benzene is a “known human carcinogen,” and studies of benzene levels around condensate tanks and compressor equipment at other sites show constant levels of 1.6 parts per billions (ppb) or more, which is four (4) times the U.S. Environmental Protection Agency-identified allowable level of 0.4 ppb that over a lifetime carries a cancer risk of 1/100,000. There is no “safe” level of benzene contamination.

In the case of the Waterville Compressor Station, PTIO #P0119251, the OEPA admitted benzene will be routinely emitted from compressor activities involving the identical model

compressor as is planned for Wadsworth. See Waterville PTIO, Response to Comments, p. 34/98 of .pdf; *also see* estimate that some 1,200 pounds of benzene will be leaked annually during blowdowns, Waterville Compressor, Response to Comments, p. 18/98 of .pdf. Yet without citing a number, projection or model, OEPA concluded that it “does not expect this facility to significantly increase benzene air concentrations.” The OEPA noted that “The turbine manufacturer has guaranteed the exhaust concentrations across all load conditions. Startup and shutdown events are the only circumstances for which the turbine manufacturer has not guaranteed the exhaust concentrations.” PTIO, Response to Comments, p. 5/98 of .pdf. OEPA does not discuss nor attribute significance to the 260 “startup and shutdown” events - also called “blowdowns” - which will involve exhausting large quantities of volatile organic chemicals (VOCs) into the atmosphere at often unpredictable intervals.

There is even less discussion in the comment responses for the Wadsworth compressor station. According to OAC § 3745-15-02, “the purpose of all air pollution rules adopted under Chapter 3704. or Chapter 3745. of the Revised Code or any rule adopted thereunder is to set forth such requirements as shall be necessary to secure and maintain those levels of air quality which are consistent with the protection of health and the prevention of injury to plant, animal life, and property in the state of Ohio, and to provide for the comfortable enjoyment of the natural attractions of the state to the greatest extent practical.” Consequently, “[a]ll regulations of the director shall be construed in such manner as to effectuate this purpose.”

According to OAC § 3745-15-08, “No person shall cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise

violate Chapter 3704., 3714., 3734., 3745., 6109., or 6111. of the Revised Code or any rule adopted thereunder.” By providing no calculations, it is not readily conceivable that there will be no health-threatening benzene emissions and contaminations. The PTIO does not suffice to protect the public nor to disclose the threat from the molecular family of benzene compounds.

Since the Director of the Ohio EPA has provided unsupported conclusory assurances that the PTIO protects health and prevents injury to plant, animal life and property, as required by OAC § 3745-15-02, the PTIO should be canceled or revoked by this Commission.

***E. Significant Quantities of Particulate Matter
Will Be Routinely Emitted During Compressor Operations***

The draft PTIO contains almost no data or description of the emissions or quantities of fine particulates which will constantly be released from the compressor station. There is a maximum limitation of 6.24 tpy, but the permit contains no showing of how that limitation will be enforced.

Some of the hazardous air pollutants may adsorb - *i.e.*, adhere - to the surface of the particulates, increasing their concentration in the lungs of the residents who inhale the particulates and thus increasing the potential for toxicity of the chemicals. OEPA neither acknowledged this potential double whammy when it was raised in public comments, nor is the phenomenon acknowledged in any part of the PTIO.

According to OAC § 3745-15-02, “the purpose of all air pollution rules adopted under Chapter 3704. or Chapter 3745. of the Revised Code or any rule adopted thereunder to set forth such requirements as shall be necessary to secure and maintain those levels of air quality which are consistent with the protection of health and the prevention of injury to plant, animal life, and

property in the state of Ohio, and to provide for the comfortable enjoyment of the natural attractions of the state to the greatest extent practical.” Consequently, “[a]ll regulations of the director shall be construed in such manner as to effectuate this purpose.”

Particulate matter is extremely irritating and harmful to pulmonary functioning, but additionally, it can carry chemical toxins expelled from the compressor facility’s routine operations. By OEPA’s failure to investigate this possibility in the case of the Wadsworth Compressor Station, the Director of the Ohio EPA cannot protect health and prevent injury to plant, animal life and property, as required by OAC § 3745-15-02, and the PTIO must be canceled or revoked.

***F. Undisclosed Radon Gas Emissions and
Possible Radioactive Particulate Matter***

According to NEXUS Gas Transmission LLC, the NEXUS Project will leak radon gas. Radon is a naturally-occurring odorless and tasteless radioactive gas which is produced by the radioactive decay of Radium-226 and is found in uranium ores and shales. NEXUS Gas Transmission Project, Resource Report 9, “Air and Noise Quality,” November 2015, p. 9-22. The Gogolak/USDOE study looked at the radon concentration in natural gas from eight wells in West Virginia and Kentucky and found an average radon concentration of 151 picocuries per liter (“pCi/L”). *Id.* p. 9-23. The Johnson/USEPA study found an average concentration of radon in natural gas of 37 pCi/L from over 2,000 wells nationwide. *Id.* The Anspaugh study focused on gas samples taken at eight locations on the Texas Eastern pipeline system in West Virginia, Pennsylvania and New Jersey and found an average radon concentration of 29 pCi/L.

In addition to these studies, the U.S. Geological Survey (“USGS”) released a report in

2012 regarding radon activities in natural gas from certain wells. The USGS found an average concentration of radon of 37 pCi/L based on gas samples from eleven wells in Pennsylvania. *Id.* The Marcellus sample activities studied by the USGS ranged from 1 to 79 pCi/L. Rowan and Kraemer, “Radon-222 Content of Natural Gas Samples from Upper and Middle Devonian Sandstone and Shale Reservoirs in Pennsylvania: Preliminary Data” (USGS 2012) p. 4.

The NEXUS Gas Transmission, LLC prediction of an average radon concentration of 37 pCi/L is more than nine (9) times levels of radon deemed relatively harmless by the U.S. Environmental Protection Agency.²

In the Draft Environmental Impact Statement (“DEIS”) for the NEXUS pipeline project, the Federal Energy Regulatory Commission (“FERC”) also recognized but minimized the potential for any health threat from radon in Marcellus shale gas.³

Despite the pipeline company and the federal regulatory agency acknowledging that gas piped through NEXUS will be radioactive, the Ohio EPA insisted,

Ohio EPA is not aware that the compressor station will emit radon gas and/or radioactive particulate matter. The natural gas carried in the NEXUS pipeline is residential quality natural gas that meets the natural gas quality specification of its downstream customers. NEXUS will monitor all incoming gas into the pipeline with strict metering, regulation, and filtering methods. U.S. EPA guidelines for radon are designated specifically for indoor air exposure for gas leaking into the living spaces of residences. Outdoor radon gas quickly disperses into to the atmosphere for greatly reduced exposures, similar to the average Ohio ambient air exposure. Ohio EPA has no reason to suspect any radon gas emitted from this facility will behave any differently.

²The U.S. Environmental Protection Agency (EPA) threshold for remediation of radon in indoor air is 4 pCi/L. <http://www.epa.gov/radon/aboutus.html>.

³“Past studies demonstrate that indoor radon concentrations from Marcellus Shale sourced gas would remain below the EPA action level and the Indoor Radon Abatement Act long-term goal. Therefore, we find that the risk of exposure to radon in natural gas is not significant.” DEIS p. 4-221.

PTIO, Response to Comments, p. 5/66 of .pdf. Appellant can identify no residential gas specifications which even mention radon or radium as a matter of concern. Although the OEPA provides assurances that “NEXUS will monitor all incoming gas into the pipeline with strict metering, regulation, and filtering methods,” (p. 5/66 of .pdf) nowhere in the Final PTIO is NEXUS required to monitor radiation.

OAC § 3745-15-07(A) prohibits as unlawful the “emission or escape into the open air from any source or sources whatsoever, of . . . fumes, gases, vapors, or any other substances or combinations of substances, in such manner or in such amounts as to endanger the health, safety or welfare of the public, or cause unreasonable injury or damage to property.” Given the many unknown and unexamined aspects of the radon and radioactive pollution that may be leaked from the Waterville Compressor Station, which is essentially a clone of the Wadsworth station, and given, further, OEPA’s rank and contradictory denial of the existence of radon and the potential for particulate bearing radiation, the PTIO must be canceled or revoked. The Director of OEPA cannot fulfill his responsibility to protect health and prevent injury to plant, animal life and property, as required by OAC § 3745-15-02.

G. Appellant Reserves the Right to Amend Its Appellate Grounds

Appellant SMC explicitly reserves the right to amend these Objections upon the discovery and disclosure of new information, as allowed by OAC § 3745-47-03(B)(1).

WHEREFORE, Appellant Sustainable Medina County prays the Commission revoke, cancel and hold for naught Permit to Install and Operate #P0119280 issued by the Director of the Environmental Protection Agency to Reagan Mayces, Wadsworth Compressor Station.

Respectfully,

October 7, 2016

Terry J. Lodge, Esq. (0029271)
316 N. Michigan St., Suite 520
Toledo, OH 43604-5627
(419) 255-7552
Fax (440) 965-0708
tjlodge50@yahoo.com
Counsel for Sustainable Medina County,
Gary Freed, Michael Smith, Theresa Leibold
and Richard Leibold

CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2016, I sent via Federal Express overnight delivery a copy of the foregoing Notice of Appeal and its accompanying Exhibit A to Craig Butler, Director, Ohio Environmental Protection Agency, P.O. Box 1049, Columbus, Ohio 43216-1049; and to Dale Vitale, Esq., Section Chief, Environmental Enforcement, Ohio Attorney-General, 30 East Broad Street, 26th Floor, Columbus, Ohio 43215.

Terry J. Lodge, Esq. (0029271)
Counsel for Sustainable Medina County.
Gary Freed, Michael Smith, Theresa Leibold
and Richard Leibold