

## Aspire Energy of Ohio, LLC

### MINIMUM GUIDELINES FOR CONSTRUCTION ACTIVITIES ON PIPELINE RIGHTS OF WAY AND IN THE VICINITY OF GAS FACILITIES

#### GENERAL

These Guidelines are intended to preserve the integrity of Aspire's facilities and to insure the safety of the general public. Aspire wants to cooperate as much as possible in the utilization of property in the vicinity of its facilities. However, Aspire cannot allow its facilities and attendant property rights to be compromised. In an effort to minimize conflicts and delays, property owners or developers should involve Aspire in the design phase of their project and receive prior approval of their plans before obtaining zoning permits, etc., and committing to construction schedules.

#### CONSTRUCTION

No construction or excavation activities of any kind, including blasting, are to be done on Aspire's easement area before Aspire personnel have established the actual location of all affected facilities and the limits of the easements. Aspire personnel must be present during any approved construction or excavation activities.

##### 1) Notification

Aspire must be notified at least two working days prior to commencement of any construction in the vicinity of Aspire's facilities. This notification can be made directly to the appropriate local Aspire office; however, the one call system should be used in all cases. To have the lines located and marked, please call the Ohio Utility Protection Service (OUPS) at 1-800-362-2764 two days in advance of any digging or construction near Aspire facilities.

##### 2) Excavation in Vicinity of Pipelines

- a) No excavation with powered machinery shall be made on the pipeline right of way without prior notification to Aspire's local operations office.
- b) Excavations that are done above, below or within three feet of either side of the pipeline shall be hand dug.

##### 3) Crossing Pipelines With Heavy Equipment

During construction, to adequately protect Aspire's pipelines from damage which could be caused by the crossing of heavy equipment, mats, dirt pads or other protective materials approved by the company may be required. The company shall be contacted for suggested protective methods. The additional over-burden must be removed after construction unless otherwise directed by Aspire's personnel.

##### 4) Blasting

Any blasting proposed within 300 feet of Aspire's facilities must have prior written consent. Consent may be requested by submitting a blasting plan for evaluation by Aspire's Engineering personnel. Any required modifications to the blasting plan will be specified in writing. If requested, the blasting contractor will monitor and record the seismic shock at the facilities.

#### RIGHTS OF WAY

To maintain unobstructed rights of way to permit Aspire to adequately operate its pipelines, the minimum standards listed below are to be used as guidelines; review of your plans and Aspire's property rights may reveal more specific requirements.

- 1) The existing cover over pipelines, which is normally 36 inches, shall be maintained. The minimum earth cover over pipelines at all street and road crossings, including the adjacent ditch line, shall be 36 inches and 60 inches minimum cover at stream and river crossings.
- 2) Above ground or below ground structures or obstructions of any type shall not be placed within the easement area of any pipeline, which is generally 25 feet each side of the pipeline. In some instances, the right of way may be less than 50 feet wide or the right of way may not be centered on the pipeline.
- 3) Pipeline easements will not be shared longitudinally with other utilities. All water valves, curb boxes, manholes, etc., must be outside the easement. Other utilities may cross Aspire's pipelines at or as near 90° as practical and with a minimum of 12 inches vertical clearance. All crossings must be installed below Aspire's pipeline unless prior written consent is obtained due to sound engineering requirements. Cable or wire utilities must be in conduit the full width of Aspire's right of way. All crossings must be approved by Aspire prior to commencement of installation.
- 4) Streets shall cross pipelines at or as near 90° as practical, but not less than 45°. If any protective measures are required for the pipeline to accommodate the street, the design and approval for the measures will be provided by Aspire's engineering department. The cost of installing protection for Aspire's facilities will be paid for by the entity constructing the street.
- 5) Paved areas, such as parking lots must be designed to leave grass medians over the full width of Aspire's easement area.
- 6) Septic tanks and leach fields should be placed so they will drain away from the pipelines where practical but in no case shall they be placed on the right of way outlined above.
- 7) The right of way may be planted in lawn and small shrubs (less than 5 feet tall at maturity) or may be used for normal agricultural purposes. However, shrubs are not allowed within five (5) feet each side of the pipeline. The planting of large shrubbery or trees within the right of way is prohibited.

NOTE: These guidelines supersede any and all prior guidelines and/or directives pertaining to activities and placement on or near Aspire, Inc. facilities. Existence of or the ramifications from the implementation of prior guidelines will not dictate, direct, or provide for exemption of any of the above guidelines.