

IN THE COURT OF COMMON PLEAS
FRANKLIN COUNTY, OHIO

AEP Ohio, on behalf of affiliates)
Cardinal Operating Co.)
Columbus Southern Power Co.) Case No. 09CVH 09 14494
Ohio Power Co.)
1 Riverside Plaza)
Columbus, Ohio 43215)
)
Ashland, Inc.)
5200 Blazer Parkway)
Dublin, Ohio 43017) Judge Sheeran
)
Clean Harbors Recycling Services of Ohio)
581 Milliken Dr.)
Hebron, Ohio 43025)
)
Columbus Steel Castings Co.)
2211 Parsons Ave.)
Columbus, Ohio 43226)
)
Duke Energy Ohio, Inc., fna)
The Cincinnati Gas & Electric Co.)
and on behalf of affiliate)
Cinergy Solutions of St. Bernard)
139 Fourth St.)
Cincinnati, Ohio 45202)
)
FirstEnergy Corp., on behalf of affiliates)
Cleveland Electric Illuminating)
Ohio Edison)
Toledo Edison)
76 S. Main St.)
Akron, Ohio 44308)
)
Ford Motor Company)
One American Road)
Dearborn, Michigan 48126)
)
Kraton Polymers U.S. LLC)
2419 State Route 618)
Belpre, Ohio 45714)
)
Millennium Inorganic Chemicals, Inc.)

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2426 Middle Rd.)
Ashtabula, Ohio 44004)
)
Momentive Performance Materials)
as successor to)
GE Quartz, Inc.)
22 Corporate Woods Blvd.)
Albany, New York 12211)
)
PPG Industries, Inc.)
One PPG Place)
Pittsburgh, Pennsylvania 15252)
)
The Procter & Gamble Company)
1 Procter & Gamble Plaza)
Cincinnati, Ohio 45202)
)
Plaintiffs,)
)
and)
)
Natural Resources Defense Council)
2 N. Riverside Plaza, Suite 2250)
Chicago, IL 60606)
)
Buckeye Environmental Network)
2319 Park Ridge Court)
Grove City, Ohio 43123)
)
Citizens Against American Landfill Expansion)
5871 Indian Run Ave SE)
Waynesburg, Ohio 44688)
)
Environmental Community Organization)
515 Wyoming Avenue)
Cincinnati, Ohio 45215)
)
National Parks Conservation Association)
1300 19th Street, NW, Suite 300)
Washington, DC 20036)
)
Ohio Association of Justice)
395 E. Broad St., Suite 200)
Columbus, Ohio 43215)
)
Ohio Citizen Action)

614 W. Superior Avenue #1200)
Cleveland, Ohio 44113)

Ohio Environmental Council)
1207 Grandview Ave., Suite 201)
Columbus, Ohio 43212)

Sierra Club)
131 N. High St., Suite 605)
Columbus, Ohio 43215)

SunCoke Watch, Inc.)
5984 Niederlander Lane)
Middletown, Ohio 48044-7820)

Jill Van Voorhis)
5871 Indian Run Ave., SE)
Waynesburg, Ohio 44688)

Vivian Baier)
4584 Indian Run Ave., SE)
East Canton, Ohio 44730)

Ann McCoy)
8922 Chapel St., SE)
Waynesburg, Ohio 44688)

Proposed Intervening Plaintiffs,)

v.)

State of Ohio)
Statehouse)
Columbus, Ohio 43215)

and)

The Ohio Environmental Review Appeals)
Commission)
309 S. Fourth St., Room 222)
Columbus, Ohio 43215)

and)

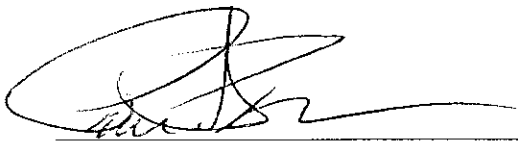
Christopher Korleski)
Director of Environmental Protection)

Lazarus Government Center)
50 W. Town St., Suite 700)
Columbus, Ohio 43215)
)
Defendants.)

MOTION TO INTERVENE


Pursuant to Ohio Rule of Civil Procedure 24, Intervenor-Plaintiffs Natural Resources Defense Council, Buckeye Environmental Network, Citizens Against American Landfill Expansion, Environmental Community Organization, National Parks Conservation Association, Ohio Association of Justice, Ohio Citizen Action, Ohio Environmental Council, Sierra Club, SunCoke Watch, Inc., Jill Van Voorhis, Vivian Baier, and Ann McCoy (collectively, “Citizen Groups”) respectfully move to intervene in the above-captioned proceeding. For the reasons set forth in the accompanying memorandum, the Court should grant the Citizen Groups intervention as of right or, in the alternative, permissive intervention, so that the Citizen Groups can fully participate in this proceeding that may impact their direct, substantial, and legally protectable interests in appeals pending before the Ohio Environmental Review Appeals Commission.

Respectfully Submitted,



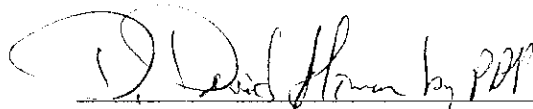
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Council, National Parks Conservation
Association, Ohio Environmental Council,
Sierra Club, and SunCoke Watch, Inc.



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Counsel for the
Ohio Environmental Council



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Landfill Expansion, Environmental
Community Organization, Ohio Association
for Justice, Ohio Citizen Action, Sierra Club
Jill Van Voorhis, Vivian Baier, and Ann
McCoy

