

MEMORANDUM

TO: Thomas S. Burack, Chairman, NH Site Evaluation Committee and Committee Members and Groton Wind Service List

FROM: Michael J. Iacopino, Esq.

DATE: May 8, 2013

RE: Groton Wind Safety Meeting Report

INTRODUCTION

The purpose of this memo is to summarize the informal meeting held on April 24, 2013 at the Groton Town Hall. The meeting was an outgrowth of the pre-hearing conference that occurred on March 25, 2013. The purpose of the meeting was to facilitate communication between the relevant first responding agencies and the Applicant to address issues of turbine road safety and maintenance. These issues have been raised in recent pleadings before the Site Evaluation Committee.

The meeting was attended by the Groton Chief of Police, Chief Piviratto and the Groton Fire Chief, Roger Thompson. Present for the Town of Rumney were Fire Commissioners Terry French and David Coursey; Fire Chief Ken Ward and Emergency Medical Director Bill Taffe. The Fire Marshal was represented by Deputy Fire Marshal Ronald Anstey. New Hampshire Fish & Game was represented by Lieutenant James Kneeland. The Applicant was represented by Attorneys Susan Geiger and Mark Epstein. Also present for the Applicant was the project manager, Ryan Haley and other employees.

At the commencement of the meeting, each party generally explained their concerns. The Applicant indicated that although it had originally agreed to maintain access, the on the ground facts were different than anticipated. They compared the site to other operations and benchmarked their safety plan against other operations. Some of the operations they considered were other wind farms, as well as the observatory on Mt. Washington. They pointed out that in most cases, the company is undertaking a "self-rescue". This is because the employees of the company are specially trained with respect to the types of emergencies that may occur at wind farms. The concerns with maintenance of the roadways included the amount of snow, wind blown conditions, and the fact that even with plowing, the roads will often be snow covered within a short period of time due to the wind and other weather conditions on the ridge line. They also indicated that they had received the opinions of several snow plow professionals who have indicated they would not plow the ridge line due to the safety hazards and the likelihood of getting stuck on the ridge line. It was pointed out that if a large truck is stuck, a larger vehicle must be brought in to extract it. As a result of these concerns, the Applicant has procured 3 large track vehicles, a snow cat and 2 piston bully track vehicles. Each of these can hold up to 15 people. They have also procured a gator type vehicle which is a small track/large wheeled vehicle. They indicate that presently, there are 4 Iberdrola personnel who are qualified to operate these vehicles, as well as some of their contractor personnel.

Fire Chief Thompson from Groton generally agreed with the course set out by Iberdrola. Police Chief Piviratto retained some concerns regarding the ability to access the site. He indicated that he has, at times, in efforts to access the site, had to wait at the gate.

The Rumney first responders raised similar complaints. They indicate that they have not been provided with keys or combinations to the site. (It was pointed out by the Applicant that keys and combinations were provided to the Selectmen of the Town of Rumney.) The Rumney first responders will be the first responders to the site in most cases. They point out that they do not have complete access to the site or to the building on site. (The Applicant indicated that they are required by FERC standards to maintain certain confidential security information on site that should not be accessed by first responders.) The Rumney first responders also indicated that their real concern is access and training. At this point, they still have not received a copy of the Environmental Health and Safety and Emergency Plan. The Applicant pointed out that they had provided this plan to the Board of Selectmen and to the service list. However, the Rumney first responders had not yet received it.

After each side set out its general concerns, the meeting took the form of a discussion. It was a rather wide ranging discussion that dealt with training requirements, access requirements, equipment requirements and discussed the possibilities of making additional equipment available for smoother and faster first responder access. As a result of the discussion, it was determined that there was a lack of communication. The following action list was established in order to facilitate better communication, particularly between the Applicant and the Rumney first responding agencies.

1. A copy of the Iberdrola Environmental Health and Emergency Safety Response plan was provided to Chief Ward. Iberdrola agreed to get additional copies to Chief Ward for distribution to other responsible first responders forthwith.
2. The Rumney first responder officials and any other first responder officials will review the plan and respond to Iberdrola with any concerns by May 15, 2013.
3. By the end of May, the first responding officials and the Applicant will meet and if necessary, revise and prepare final draft of the Environmental Health and Emergency Safety Response plan.
4. By the end of the second week of June 2013, it is anticipated that the final plan will be agreed upon.

The plan is to address the following issues:

1. Physical access to the facility.
2. Contacts with Iberdrola employees, including cell phone contact and contact with local employees.
3. Building access.

4. Additional equipment that may be necessary for the Rumney first responders, including consideration of snow machine and litter equipment.
5. Training – the Applicant is prepared to start training right away.
6. Drills (this is really part of the training).
7. Necessity for subsequent meetings and regular periodic meetings on a quarterly, bi-annual, or annual basis.
8. Contact with the Grafton County Sheriff's Department to inform them of the plans as well.

Deputy Fire Chief Anstey and Lieutenant Kneeland both agreed to lend whatever expertise they may have that may be needed by the Applicant and the first responding agencies.

MJI/tm