



STATE OF NEW HAMPSHIRE DEPARTMENT OF SAFETY

John J. Barthelmes, Commissioner

Division of Fire Safety
Office of the State Fire Marshal
J. William Degnan, State Fire Marshal



Office: 110 Smokey Bear Blvd., Concord, NH
Mailing Address: 33 Hazen Drive, Concord, NH 03305
PHONE 603-223-4289, FAX 603-223-4294 or 603-223-4295
TDD Access: Relay NH 1-800-735-2964 ARSON HOTLINE 1-800-400-3526

October 18, 2013

Mr. Michael Iocoppino
Site Evaluation Committee
21 South Fruit Street
Concord, NH 03305

Re: Groton Wind Farm.

Dear Mr. Iocoppino,

The following information is that which you requested relative to the state building and fire codes that have been adopted and are enforceable at the Groton Wind Farm project.

NH State Building Code:

The primary document in the State Building Code is the International Building Code (IBC), 2009 edition. In addition to these there are other adopted documents such as: The International Mechanical Code, National Electrical Code and others.

Provisions of the IBC include, but are not limited to, section 107.1 which requires that "Submittal documents consisting of construction documents, statement of special inspections, geotechnical and other data be submitted...." Section 105.1 requires that "Any owner or authorized agent who intends to construct, enlarge, alter, repair,... shall first make application to the building official and obtain the required permit." Section 110.1 mandates that "Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved." And lastly section 111.1 " No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy.

NH State Fire Code:

The primary documents in the State Fire Code are NFPA 1, 2009 edition and NFPA 101, 2009 edition. Other adopted documents include NFPA 10, NFPA 12, NFPA 72 and others.

NFPA 1, 14.1 says that “Where required by the AHJ for new construction, modification, or rehabilitation, construction documents and shop drawings shall be submitted, reviewed, and approved prior to the start of such work as provided in Section 1.14.” Section 4.5.3 reads “Nothing in this code shall be construed to prohibit a better type of building construction, an additional means of egress, or an otherwise safer condition than that specified by the minimum requirements of this code.”

NFPA 1, 4.1.4.2.2 says that “In the event that a fire or explosion occurs, the building or facility shall be sited, designed, constructed or maintained and operations associated with the facility shall be conducted and protected to reasonably reduce the impact of unwanted fire and explosions on the adjacent compartments, emergency life safety systems, adjacent properties, (underline mine) adjacent outside storage, and the facility’s structural elements.” Section 18.2.3.1 requires that “Approved fire department access roads shall be provided for every facility, building or portion of a building hereafter constructed or relocated.” Section 18.2.3.1.4 says that, “When fire department access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades or other similar conditions, the AHJ shall be authorized to require additional fire protection features. It should be noted that these collection of references from NFPA 1, are the sections under which the fire suppression in the nacelles is being required.

In addition to NFPA 1, NFPA 101 would have requirements that would be applied to the O and M building as well. The codes that have been cited above are only a portion of the adopted codes that could be applied to this project.

NFPA 850:

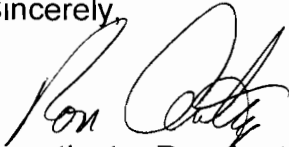
NFPA 850 is the Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations. Chapter 4 addresses the fire protection design process and includes references to the stakeholders, inputs to the design, the design basis and other criteria. Chapter 10, Identification and Protection of Hazards for Wind Turbine Generating Facilities, is specific to wind turbines and section 10.5.3 addresses the fire protection is wind generating facilities.

All of the codes and standards referenced above are protected by copyright laws. They are available through the publishing agencies: The International Code

Council at www.iccsafe.org and the National Fire Protection Association at www.nfpa.org. Copies of these codes and standards are available for review at the State Fire Marshal's Office as well.

If I can answer any questions, or if I can be of any further assistance, please feel free to contact me via email at Ronald.anstey@dos.nh.gov or by telephone at 603-223-4289.

Sincerely,

A handwritten signature in black ink that reads "Ron Anstey". The signature is written in a cursive style with a large, stylized initial "R".

Investigator Ron Anstey, CBO, CFI
Section Chief, Plans Review and Engineering
Bureau of Building Safety and Construction



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July 7, 2012

Mike Witcher
David Witcher Builder, Inc.
P O Box 60
254 Drake Hill Road
Strafford, NH 03884

Re: 3130053-S, FA
Groton Wind Farm – O&M Building
Groton, NH

Dear Mr. Witcher:

The "record drawings" for the above referenced facility, including structural, electrical, plumbing, architectural, and mechanical, have been received and reviewed. Following is a list of code issues that appear to need clarifications on the information as submitted.

1. A letter is required to be submitted from the licensed New Hampshire architect or engineer responsible for the design certifying it complies with the 2009 edition of the *International Energy Conservation Code*.
2. A letter is required to be submitted from the licensed New Hampshire architect or engineer responsible for the design certifying the design complies with the New Hampshire Barrier Free Design Code and applicable ADA Design Guidelines.
3. Overall, the plans provided were not to scale, and since provided as 11 x 17 copies were difficult to read. Full size prints are required to be submitted for review, as many items cannot be verified without being able to review the dimensions provided on the architectural drawings.
4. Drawings are required to be stamped by the licensed New Hampshire design professional responsible for the design. None of the drawings were stamped, except the Butler Building design drawings, which excluded the foundation design, and list of special inspections.
5. It was unclear from the information provided what operations would be performed in the "maintenance" area of the building. This area is provided with three overhead doors that would imply vehicles and/or large equipment would be located in this area for repair and maintenance. Please provide additional details so that the proper hazard classification of this area can be accurately determined.
6. The list of special inspection provided on the structural drawings should have been accomplished, reviewed, and stamped by respective engineers. Please submit the applicable stamped special inspection reports.

7. It was unclear as to the intended use of the area labeled "O&M" staff, as the DES permits references bedrooms. Please verify if there are provisions for sleeping accommodations in this facility.
8. There is an intake and exhaust louver shown on the architectural drawings. Please provide calculations from the mechanical engineer to verify that these have been sized to accommodate the equipment located in the mechanical space. Additionally, the mechanical drawings did not include any piping or details on the installation of equipment.
9. There is a detail on Sheet A2 for the "separation wall". Is the intent to provide a fire or smoke separation between the office area and the mechanical space? There are no details indicating this is a rated assembly or that penetrations have been properly treated. Additional information is required regarding the complete use of the mechanical space to fully verify whether a rated separation is required. Please clarify.
10. The emergency lighting provided outside the exits does not comply with the requirements of 2011 edition *NFPA 70, National Electrical Code*, as it requires dual lamp fixtures.
11. The battery calculations, voltage drop calculations and manufacturer's cut sheets are required for the fire alarm system. It was also unclear if this system automatically notified Emergency Forces. Please clarify.

Please review the above information, and should you have any questions, please feel free to contact me at 603-340-2582.

Sincerely,



Beverly R. Kowalik, PE
NH State Fire Marshal's Office

Cc: Investigator Ronald Anstey, NH State Fire Marshal's Office
Groton Fire Department

From: Anstey, Ronald
Sent: Tuesday, March 22, 2011 3:53 PM
To: 'DeLooff, Karl'
Subject: RE: Fire Marshall Letter

Follow Up Flag: Follow up
Flag Status: Red
 Hi Karl,

E-mail is a good start. If you would like to meet I can do that as well. Let me know.

Ron.

Investigator Ron Anstey, CBO, CFI
 Section Chief, Engineering and Plans Review
 New Hampshire State Fire Marshal's Office

From: DeLooff, Karl [mailto:kdelooff@iberdrolaren.com]
Sent: Monday, March 14, 2011 11:31 AM
To: Anstey, Ronald
Cc: Cherian, Ed
Subject: FW: Fire Marshall Letter


Ron:

I have not been able to communicate with you recently. Please contact me when you have a chance to discuss wind turbine construction in New Hampshire.

Thanks,
 Karl



Karl J. DeLooff
 Director - Environment, Health, and Safety
 Wind Construction
 1125 NW Couch St., Suite 700, Portland, OR, 97209
 Cellular (610) 547-4393
 Fax (616) 892-9935
kdelooff@iberdrolaren.com

 In the interests of the environment, please print only if necessary and recycle

From: DeLooff, Karl
Sent: Thursday, November 04, 2010 3:12 PM
To: ronald.anstey@dos.nh.gov
Cc: Cherian, Ed
Subject: Fire Marshall Letter

Thank you for discussing our concerns.

In general, we have the following concerns:

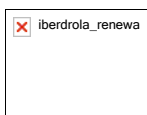
1. That outside groups or organizations may attempt to hold us to the letter of the standard rather than the performance expected in the standard. We have experience this several times and we work with the authority holding jurisdiction on each and every site we build to ensure due care and compliance.
2. The transformers and turbines for this project are long-lead time items and have already been procured. It is difficult to make changes at this time.
3. The law of unintended consequences may cause problems if quick solutions are not thoroughly vetted. The mandate of a fire suppression system could cause significant hazards to our crews if not fully integrated into the physical design of the turbine, the software running the machinery, and the procedures for assembly, operations, and maintenance. Currently, no fire suppression system has been approved for use in our application although testing and research have been ongoing.

We request that the letter be made specific to the project and we work together over the intervening time, but as quickly as possible, to ensure compliance with the performance based standards. We share the common goal of preventing the loss of life, property, injuries, and fires from our operations. I believe that if we work together over the next few months we can agree on provisions to operate safely and effectively in New Hampshire. Our current site in New Hampshire has a good operational record and we are evaluating ways to further enhance fire safety at the site.

We are fully supportive of meeting NFPA 1 and 101 for the O&M and other buildings on site. NFPA 850 covers additional areas, but is relatively new from a design standard point of view within the wind turbine supply chain. It is behind the technology of fire prevention currently incorporated into the turbine design. The prevention of fires has been the subject of turbine design for several turbine generations. As a result, fires have become rare in the later generations of turbines.


Please let me know what I can do or information I can provide. I am sending the GL Certificate and standards and the Factory Mutual standards so you can see the design criteria these machines were built to.

Thanks,
 Karl



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From: Anstey, Ronald
Sent: Thursday, March 24, 2011 10:34 AM
To: 'Delooff, Karl'
Cc: Degnan, J. William
Subject: RE: Fire Marshall Letter

Follow Up Flag: Follow up
Flag Status: Red
Hi Karl,

I am investigating an alternative form of suppression. If I find that it is applicable I will forward you the information and we can discuss the suppression issue. I should only take a day or two for me to get the info that I need.

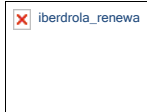
Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Delooff, Karl [mailto:kdelooff@iberdrolaren.com]
Sent: Wednesday, March 23, 2011 12:50 PM
To: Anstey, Ronald
Cc: Cherian, Ed
Subject: RE: Fire Marshall Letter

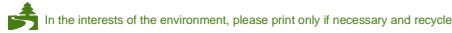
Thanks.

As you know, we are in the permitting process and trying to get a handle on requirements. We still do not have a factory gas or liquid fire suppression system available to us. When you have some time, I would like to be able to discuss the implications of this with you.

Thanks,
Karl



Karl J. DeLooff
Director - Environment, Health, and Safety
Wind Construction
1125 NW Couch St., Suite 700, Portland, OR, 97209
Cellular (610) 547-4393
Fax (616) 892-9935
kdelooff@iberdrolaren.com



From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Tuesday, March 22, 2011 3:53 PM
To: Delooff, Karl
Subject: RE: Fire Marshall Letter

Hi Karl,

E-mail is a good start. If you would like to meet I can do that as well. Let me know.

Ron.

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

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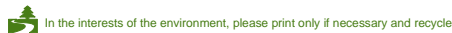
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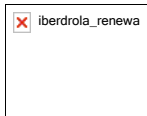
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We request that the letter be made specific to the project and we work together over the intervening time, but as quickly as possible, to ensure compliance with the performance based standards. We share the common goal of preventing the loss of life, property, injuries, and fires from our operations. I believe that if we work together over the next few months we can agree on provisions to operate safely and effectively in New Hampshire. Our current site in New Hampshire has a good operational record and we are evaluating ways to further enhance fire safety at the site.

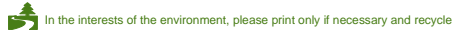
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Please let me know what I can do or information I can provide. I am sending the GL Certificate and standards and the Factory Mutual standards so you can see the design criteria these machines were built to.

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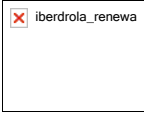
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From: Delooff, Karl [kdelooff@iberdrolaren.com]
Sent: Monday, March 28, 2011 2:15 PM
To: Anstey, Ronald
Subject: Groton Wind Farm Project

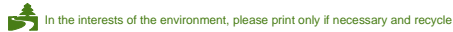
Follow Up Flag: Follow up
Flag Status: Red
Ron:

Do you have your information assembled?

Thanks,
Karl



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From: Anstey, Ronald
Sent: Friday, April 01, 2011 4:03 PM
To: 'DeLooff, Karl'
Cc: Degnan, J. William; Schultz, Maxim; Farley, Robert
Subject: RE: Groton Wind Farm Project

Follow Up Flag: Follow up
Flag Status: Red
Hi Karl,

Fire Trace is the suppression system that we were investigating relative to your project. We (the State Fire Marshal and me) agree that a water based system is impractical in this region, and a total flooding clean agent system is impractical in its application. It is our intention to provide a safe environment for the residents and fire personnel as well as protecting your very expensive equipment. As you know, a fire could get a very big head start in this remote area. This makes the Firetrace System the perfect solution for your structures. It is specifically designed for wind turbines. In addition, the Firetrace system can be monitored by an en-Gauge Fire Protection Monitoring System.

If you check with your San Diego project personnel you may find that they are familiar with the Firetrace System and are installing them in that project. For your convenience I have enclosed the web sites for en-Gauge and FireTrace .

FireTrace web site is www.firetrace.com
En-Gauge web site is www.engaugeinc.net

I look forward to hearing from you.

Regards,

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

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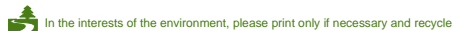
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Thanks,
Karl



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From: Delooff, Karl [kdelooff@iberdrolaren.com]
Sent: Tuesday, April 05, 2011 7:44 AM
To: Anstey, Ronald
Cc: Degnan, J. William; Schultz, Maxim; Farley, Robert; Cherian, Ed; Phillips, Norm; Lallum, Erik
Subject: RE: Groton Wind Farm Project

Follow Up Flag: Follow up

Flag Status: Red

Ron:

The Tule project may or may not be built. The final decision has not been made. The decision will be made on several factors, including the fire suppression requirement. The fire environment of Tule could not be more different than Groton. Tule is in a very dry, high risk area for brush fires. The "green period" of time is only about a month. The rest of the year it is brown, very hot, dry, with high winds coming from Mexico. The location is also extremely isolated, with response times measured in hours. The environment in Groton has none of these characteristics.

As of right now, there has been no fire suppression system that has been approved by any testing agency, US or international, for inclusion in wind turbines. Testing is ongoing, but none have been successfully approved for inclusion in a wind turbine. The New Hampshire Fire Marshal recommended Fire Trace does have some installations, but no actual third-party testing to prove effectiveness. Additionally, there is no protocol for installation in a nacelle. Operation, maintenance, and testing are yet unknowns in the wind turbine environment.

The New Hampshire Fire Marshal recommended monitoring system also has not been evaluated and approved by any testing agency for inclusion into a wind turbine. Our Operations and Maintenance staff do not climb turbines for monthly inspections – the turbines are climbed only during maintenance cycles and warranty work which average 2 to 3 times per year each.

I am not supportive of mandating unproven, untested, and unapproved technology into a wind turbine system. The wind turbine is designed, tested, and approved as a system. Any additions, deletions, or options purchased by Iberdrola Renewables are factory installed and match the specifications of the GL Certificate – the third party testing agency. I believe that forcing the inclusion may have detrimental, unintended consequences.

Iberdrola Renewables is a conservative, very safety conscious organization. We have mandated and supported untold improvements and changes in the engineering, design, and construction of wind turbines. Most of these improvements have been personnel and fire safety related. With over 1,200 turbines and millions of hours of operation, we had only one fire – from a cable that shorted to the tower. The existing fire suppression systems contained and extinguished the fire and there was no damage or risk outside of the turbine. This was the first-generation of turbines in the US and the potential source has been eliminated fleet-wide. There has been lightning strikes, component failures, and other events and the design, construction, and systems have been effective in preventing fires. We believe that fire prevention is paramount and our purchases, construction techniques, and operation procedures are all designed and executed to prevent fires and personnel injuries.

I request that you reconsider mandating unapproved equipment during the permitting process. If the technology is thoroughly tested and approved in the future and can be retrofitted to the wind turbines, we would immediately consider a retrofit at that time. However, we are not supportive of experimental equipment applications with the lives and safety of our personnel. This is for a third-party testing laboratory.

We propose to provide you another opportunity to inspect a nacelle on the ground and to learn more of the systems that protect our crews from both injuries and fires. Please let me know as the permitting process concludes on Thursday.

Thanks,
Karl



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Investigator Ron Anstey, CBO, CFI
 Section Chief, Engineering and Plans Review
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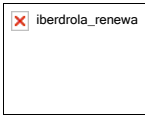
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To: Anstey, Ronald

Subject: Groton Wind Farm Project

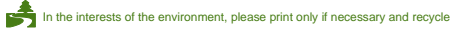
Ron:

Do you have your information assembled?

Thanks,
Karl



Karl J. DeLooff
Director - Environment, Health, and Safety
Wind Construction
1125 NW Couch St., Suite 700, Portland, OR, 97209
Cellular (610) 547-4393
Fax (616) 892-9935
kdelooff@iberdrolaren.com



=====

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=====

From: Anstey, Ronald
Sent: Wednesday, April 06, 2011 8:27 AM
To: Delooff, Karl
Cc: Degnan, J. William; Schultz, Maxim; Farley, Robert; Cherian, Ed; Phillips, Norm; Lallum, Erik
Subject: RE: Groton Wind Farm Project

Follow Up Flag: Follow up

Flag Status: Red

Hi Karl,

I am very pressed for time and appologize that I cannot respond in a more comprehensive manner. I am happy to see that fire suppression is being taken into consideration in the decision process in California. It should be a consideration there as well as New Hampshire. Your presumption that we are ignorant to the wildland fire scenarios in California and New Hampshire is unfounded. I was a Deputy Fire Warden and a Special Deputy Fire Warden in New Hampshire for over twenty years. The positions will not mean anything to you Oregon. They are positions in the NH forestry network related to wildland fires. I was an instructor. Several others in our organization have held similar positions. The Groton area is heavily wooded. Unlike California, where the dry conditions create a quickly moving, wide spread surface burning fire. New Hampshire's fires, with our deep duff layer and heave pine cover burn very deep. I have seen a twenty acre fire take two weeks to extinguish because of the depth of the fire. In addition, the Groton area is covered by volunteer fire departments which may or may not have the ability to respond with sufficient manpower to combat a wildland fire, if they can respond at all. New Hampshire's population is more compact that areas of California meaning a wildland fire will impact residential areas more quickly. Nor do we have state forest fire fighters, county fire departments or the areial support that Cal-Fire has available. Your argument regarding listings appears to be based more on opinion than fact. We are not in the habit of requiring system be installed for the sake of installing systems. If providing fire protection in nacels were so difficult I doubt that NFPA 850 would have mandaated it.

Marshal Degnan is committed to the security and safety of the residents and visitors of and to the State of New Hampshire. As such he feels that the FireTrace system is a viable means of fire protection within the nacels. We look forward to working with you on this project. However, the requirement for fire protection is not going to go away. If you have another alternative, let's hear it.

Regards

Investigator Ron Anstey, CBO, CFI
 Section Chief, Engineering and Plans Review
 NH State Fire Marshal's Office

From: Delooff, Karl [mailto:kdelooff@iberdrolaren.com]
Sent: Tue 4/5/2011 7:43 AM
To: Anstey, Ronald
Cc: Degnan, J. William; Schultz, Maxim; Farley, Robert; Cherian, Ed; Phillips, Norm; Lallum, Erik
Subject: RE: Groton Wind Farm Project

Ron:

The Tule project may or may not be built. The final decision has not been made. The decision will be made on several factors, including the fire suppression requirement. The fire environment of Tule could not be more different than Groton. Tule is in a very dry, high risk area for brush fires. The "green period" of time is only about a month. The rest of the year it is brown, very hot, dry, with high winds coming from Mexico. The location is also extremely isolated, with response times measured in hours. The environment in Groton has none of these characteristics.

As of right now, there has been no fire suppression system that has been approved by any testing agency, US or international, for inclusion in wind turbines. Testing is ongoing, but none have been successfully approved for inclusion in a wind turbine. The New Hampshire Fire Marshal recommended Fire Trace does have some installations, but no actual third-party testing to prove effectiveness. Additionally, there is no protocol for installation in a nacelle. Operation, maintenance, and testing are yet unknowns in the wind turbine environment.

The New Hampshire Fire Marshal recommended monitoring system also has not been evaluated and approved by any testing agency for inclusion into a wind turbine. Our Operations and Maintenance staff do not climb turbines for monthly inspections – the turbines are climbed only during maintenance cycles and warranty work which average 2 to 3 times per year each.

I am not supportive of mandating unproven, untested, and unapproved technology into a wind turbine system. The wind turbine is designed, tested, and approved as a system. Any additions, deletions, or options purchased by Iberdrola Renewables are factory installed and match the specifications of the GL Certificate – the third party testing agency. I believe that forcing the inclusion may have detrimental, unintended consequences.

Iberdrola Renewables is a conservative, very safety conscious organization. We have mandated and supported untold improvements and changes in the engineering, design, and construction of wind turbines. Most of these improvements have been personnel and fire safety related. With over 1,200 turbines and millions of hours of operation, we had only one fire – from a cable that shorted to the tower. The existing fire suppression systems contained and extinguished the fire and there was no damage or risk outside of the turbine. This was the first-generation of turbines in the US and the potential source has been eliminated fleet-wide. There has been lightning strikes, component failures, and other events and the design, construction, and systems have been effective in preventing fires. We believe that fire prevention is paramount and our purchases, construction techniques, and operation procedures are all designed and executed to prevent fires and personnel injuries.


I request that you reconsider mandating unapproved equipment during the permitting process. If the technology is thoroughly tested and approved in the future and can be retrofitted to the wind turbines, we would immediately consider a retrofit at that time. However, we are not supportive of experimental equipment applications with the lives and safety of our personnel. This is for a third-party testing laboratory.

We propose to provide you another opportunity to inspect a nacelle on the ground and to learn more of the systems that protect our crews from both injuries and fires. Please let me know as the permitting process concludes on Thursday.

Thanks,
 Karl



Karl J. DeLooff
 Director - Environment, Health, and Safety
 Wind Construction
 1125 NW Couch St., Suite 700, Portland, OR, 97209
 Cellular (610) 547-4393
 Fax (616) 892-9935
kdelooff@iberdrolaren.com

 In the interests of the environment, please print only if necessary and recycle

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Friday, April 01, 2011 4:03 PM
To: DeLooff, Karl
Cc: Degnan, J. William; Schultz, Maxim; Farley, Robert
Subject: RE: Groton Wind Farm Project

Hi Karl,

Fire Trace is the suppression system that we were investigating relative to your project. We (the State Fire Marshal and me) agree that a water based system is impractical in this region, and a total flooding clean agent system is impractical in its application. It is our intention to provide a safe environment for the residents and fire personnel as well as protecting your very expensive equipment. As you know, a fire could get a very big head start in this remote area. This makes the Firetrace System the perfect solution for your structures. It is specifically designed for wind turbines. In addition, the Firetrace system can be monitored by an en-Gauge Fire Protection Monitoring System.

If you check with your San Diego project personnel you may find that they are familiar with the Firetrace System and are installing them in that project. For your convenience I have enclosed the web sites for en-Gauge and FireTrace .

FireTrace web site is www.firetrace.com
En-Gauge web site is www.engaugeinc.net

I look forward to hearing from you.

Regards,

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: DeLooff, Karl [mailto:kdelooff@iberdrolaren.com]
Sent: Monday, March 28, 2011 2:15 PM
To: Anstey, Ronald
Subject: Groton Wind Farm Project

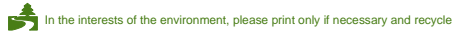
Ron:

Do you have your information assembled?

Thanks,
Karl



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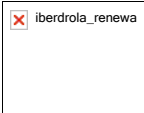
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From: Delooff, Karl [kdelooff@iberdrolaren.com]
Sent: Thursday, April 25, 2013 7:51 AM
To: Anstey, Ronald
Subject: Groton Wind Farm

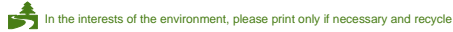
Follow Up Flag: Follow up
Flag Status: Red

It was good to see you again last night. I'll work on getting you physical drawings of the O&M building as soon as we can get them printed.

Thanks,
Karl



Karl J. DeLooff
Director - Environment, Health, Safety and Security
Engineering and Construction
1125 NW Couch St., Suite 700, Portland, OR, 97209
Cellular (610) 547-4393
Fax (616) 892-9935
kdelooff@iberdrolaren.com



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=====

From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Wednesday, May 29, 2013 2:58 PM
To: Anstey, Ronald
Cc: Degnan, J. William; Labonte, Matthew; Michael J. Iacopino
Subject: RE: Groton Wind Farm

Follow Up Flag: Follow up
Flag Status: Red

Ron,

My apologies for any confusion with my email. I will look into it and get back to you as soon as possible.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Wednesday, May 29, 2013 12:55 PM
To: Epstein, Mark
Cc: Degnan, J. William; Labonte, Matthew; Michael J. Iacopino
Subject: FW: Groton Wind Farm
Importance: High

Mr. Epstein,

I have tried sending this email to you twice and it kept coming back as undeliverable. I was given this email address to try. I look forward to hearing from you. As of today, I still have not received anything from Karl.

Regards,

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Anstey, Ronald
Sent: Tuesday, May 28, 2013 5:49 PM
To: 'mark.epstein@iberdrolausa.com'
Cc: Degnan, J. William; Labonte, Matthew
Subject: FW: Groton Wind Farm
Importance: High

Good afternoon,

I sent this email to you on 5/17/13 and have not had any response. I am checking to make sure that you received it

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Anstey, Ronald
Sent: Friday, May 17, 2013 2:56 PM
To: 'mark.epstein@iberdrolausa.com'
Cc: Degnan, J. William; 'Michael J. Iacopino'; Labonte, Matthew
Subject: Groton Wind Farm
Importance: High

Good afternoon Mr. Epstein,

I was a pleasure meeting you last month in Groton. When we spoke you indicated that you were the person to notify if we were not getting the information that is required for your project. On 4/25/13, the day after our meeting, Karl DeLooff emailed me and indicated that he was going to provide plans to us as soon as he could get them printed. To date no plans have been submitted to this office for review. To print plans for structures that have already been built should take a matter of hours, not weeks. We have been waiting for plans for over two years and it appears, even after our meeting, nothing has changed. Consequently we must establish the following dead lines.

Iberdrola will provide a complete set of plans for all structures on the Groton site to the State Fire Marshal's Office no later than May 31, 2013. The plans must be complete and shall include, but not be limited to, structural, mechanical, and electrical details. In addition, fire suppression plans for the turbines (nacelles) must also be included. If the plans are not received by this office by May 31, 2013 we will issue a stop work order for every structure on the site. Given the fact that there were never any plans submitted for review, there were never any compliance inspections conducted and certificates of occupancy have not been issued, the site is still deemed to be under construction.

I will be out of the office for training next week. However, I will be checking my emails. I will have my cell phone as well, my number is 603-703-2498. I look forward to hearing from you.

Regards,

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Thursday, May 30, 2013 9:17 AM
To: Anstey, Ronald
Cc: Degnan, J. William; Labonte, Matthew; kdelooff@iberdrolaren.com; SGeiger@orr-reno.com
Subject: RE: Groton Wind Farm

Follow Up Flag: Follow up
Flag Status: Red

Attachments: Groton Fire Chief OM Letter-03-17-13.pdf

Ron,

My apologies again for the confusion on the email – apparently, I hadn't cleaned my old cards out of my bag when I pulled out the one that I gave to you. (I will spare you a list of the other things I found when I started rummaging around in there.)

As to your question below, it is my understanding that, because the local fire chief assumed jurisdiction over the project (as shown in the attached letter), that is where the determination of occupancy is made, which is the reason the plans hadn't been provided earlier. Having said that, to accommodate your request, we will have a full set of plans sent to you by the end of next week.

On the issue of the fire suppression systems, we are gathering the technical details. As you can imagine, the interplay of the various systems that allow the electrical systems to be shut down in fractions of a second involve the interplay of several of our equipment manufacturers, and it is my understanding that we do not have on hand the materials you requested in the appropriate form. We have asked that those materials be provided to us as soon as possible, though it may be a few weeks before we have everything. I have asked Karl to provide you with deliveries of whatever we can provide in late June, along with further details on how we are working to ensure the delivery of any materials that are outstanding.

In order to ensure that there is no further communication concern, my cell phone is (610)772-1363. Though I generally respond best to email, if, for some reason I don't respond, that number will always get my attention.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Wednesday, May 29, 2013 12:55 PM
To: Epstein, Mark

Cc: Degnan, J. William; Labonte, Matthew; Michael J. Iacopino
Subject: FW: Groton Wind Farm
Importance: High

Mr. Epstein,

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Regards,

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Anstey, Ronald
Sent: Tuesday, May 28, 2013 5:49 PM
To: 'mark.epstein@iberdrolausa.com'
Cc: Degnan, J. William; Labonte, Matthew
Subject: FW: Groton Wind Farm
Importance: High

Good afternoon,

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Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Anstey, Ronald
Sent: Friday, May 17, 2013 2:56 PM
To: 'mark.epstein@iberdrolausa.com'
Cc: Degnan, J. William; 'Michael J. Iacopino'; Labonte, Matthew
Subject: Groton Wind Farm
Importance: High

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I will be out of the office for training next week. However, I will be checking my emails. I will have my cell phone

as well, my number is 603-703-2498. I look forward to hearing from you.

Regards,

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Monday, June 24, 2013 7:50 AM
To: Anstey, Ronald
Subject: Groton Wind

Follow Up Flag: Follow up
Flag Status: Red

Ron,

It is my understanding that you have now received all the drawings you had requested. Please let me know if there is anything still outstanding.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@iberdrolaRen.com

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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Monday, July 01, 2013 11:36 AM
To: Anstey, Ronald
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew
Subject: RE: Groton Wind

Follow Up Flag: Follow up
Flag Status: Red
Ron,

My apologies – I thought the materials had been sent. I will look into it.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Monday, July 01, 2013 11:32 AM
To: Epstein, Mark
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew
Subject: RE: Groton Wind

Hi Mark,

The only plans that we have received are the structural plans for the support building. I have not received a site plan, tower/nacelle plans, or fire suppression plans.

Regards,

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Monday, June 24, 2013 7:50 AM
To: Anstey, Ronald
Subject: Groton Wind

Ron,

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Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
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phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Wednesday, July 03, 2013 12:03 PM
To: Anstey, Ronald
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew
Subject: RE: Groton Wind

Follow Up Flag: Follow up
Flag Status: Red

Ron,

My apologies. I have chased this down, and we will have hard copy site and tower plans sent to you next week. In addition, I have had lengthy discussions on the fire suppression issues and while I am obviously not a technical expert, I have taken it upon myself to get you what you this next week as well.

Have a good holiday.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Monday, July 01, 2013 11:32 AM
To: Epstein, Mark
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew
Subject: RE: Groton Wind

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Regards,

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Monday, June 24, 2013 7:50 AM
To: Anstey, Ronald

Subject: Groton Wind

Ron,

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Thanks.

Mark



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Senior Counsel
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100 Matsonford Rd.
Radnor PA 19087
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Mark.Epstein@IberdrolaRen.com

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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Friday, July 12, 2013 10:09 AM
To: Anstey, Ronald
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew; kdelooff@iberdrolaren.com
Subject: RE: Groton Wind

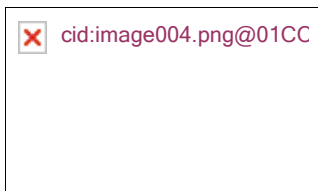
Follow Up Flag: Follow up
Flag Status: Red

Attachments: NE8311305 - Description of integrated Fire detection and protection syst....pdf; 11F#_r2_2013-05-31.pdf; Groton Fire Suppression 07 12 13.pdf; Groton Fire Suppression 07 12 13.pdf
Ron,

As discussed, attached is a full description of the Groton Fire Safety System, including supporting documentation. I believe you should also have received all of the drawings by now, but if there is anything outstanding, please let me know.

Thanks, and have a good weekend.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@iberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Monday, July 01, 2013 11:32 AM
To: Epstein, Mark
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew
Subject: RE: Groton Wind

Hi Mark,

The only plans that we have received are the structural plans for the support building. I have not received a site plan, tower/nacelle plans, or fire suppression plans.

Regards,

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Monday, June 24, 2013 7:50 AM

To: Anstey, Ronald
Subject: Groton Wind

Ron,

It is my understanding that you have now received all the drawings you had requested. Please let me know if there is anything still outstanding.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Thursday, July 18, 2013 3:16 PM
To: Anstey, Ronald
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew; Delooff, Karl; Emmett, Doren
Subject: RE: Groton Wind

Follow Up Flag: Follow up
Flag Status: Red

Ron,

Sorry for the delay in getting back to you on this, but no one here had any idea who Mike Witcher was. (Apparently, he is a local representative of a vendor for the O&M building manufacturer who dealt with one of subcontractors.) In any event, now that the company has the questions, we will review and get back to you.

Thanks.

Mark



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Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Wednesday, July 17, 2013 2:07 PM
To: Epstein, Mark
Cc: Michael J. Iacopino; Degnan, J. William; Labonte, Matthew; Delooff, Karl
Subject: RE: Groton Wind

Hi Mark,

Thank you for the information. I gave the information a quick scan and it appears to be the same information that was discussed with Karl over 2 years ago. At that time a fire suppression system was required and that suppression requirement has not changed. I will review the information to see if it changes our position. For your information I have attached the review comments for the O and M building. The comments were sent to Mike Witcher and we have not received a response as yet.

Thank you for your assistance.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Friday, July 12, 2013 10:09 AM

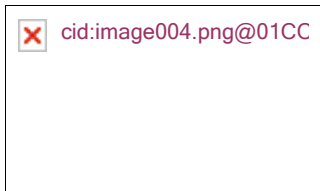
To: Anstey, Ronald
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Subject: RE: Groton Wind

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Subject: RE: Groton Wind

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Investigator Ron Anstey, CBO, CFI
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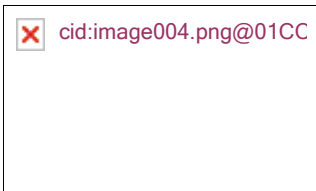
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Subject: Groton Wind

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Mark



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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Tuesday, August 20, 2013 4:16 PM
To: Anstey, Ronald
Cc: Degan, J. William; MIacopino@bclilaw.com; Emmett, Doren; Clayton, Michael; SGeiger@orr-reno.com; Echerian@iberdrolaren.com; kdelooff@iberdrolaren.com
Subject: RE: O &M Building

Follow Up Flag: Follow up
Flag Status: Red
Ron,

Thanks for a copy of your letter.

We are certainly happy to formally address this matter in a hearing before the SEC, but in the interests of using resources on substantive efforts rather than on a legal dispute, I am wondering if there is some intermediate solution that might address your concerns, particularly given that the strength of the record.

(For example, the Fire Marshall's office's lack of response to the letter that Mike Iacopino sent to Commissioner John J. Barthelmes on April 5, 2010 supports the idea that we weren't required to separately submit plans to the State Fire Marshall's Office. This is supported by RSA 162-H which has been clearly held to show that submission to the SEC expressly "envisions that all interests be considered and all regulatory agencies combine for the twin purposes of avoiding undue delay and resolving all issues 'in an integrated fashion'".)

On the question of the project itself, as I mentioned in my earlier email, the SEC formally addressed the concerns in your October 17, 2010 letter as part of the application process and expressly decided not to accept those requirements. (See, for example, page 74 of the SEC Decision.) I appreciate your desire to reintroduce those concerns and enforce additional requirements on the project, but to the best of our knowledge, no one in the town of Groton has made a request to your office to do so as required by RSA 155-A:7, I, and thus I am not sure I understand the basis for you to do so.

In any event, rather than spend time formally arguing over these issues, particularly given the current status of the project, I am hopeful there is, as I suggested, some other action we can take to satisfy your concerns.

Please let me know when we can set up a time to discuss.

Thanks.

Mark



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phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Thursday, August 15, 2013 5:08 PM

To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; Clayton, Michael
Subject: RE: O &M Building

Hi Mark,

Attached is a letter that I delivered for presentation to the committee yesterday. It should cover the issue.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Thursday, August 15, 2013 2:55 PM
To: Anstey, Ronald
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; mclayton@iberdrolaren.com
Subject: RE: O &M Building

Ron,

I apologize for the delay in getting back to you, but we wanted to confirm internally the history of the permitting on the project.

As we see it, there is nothing in our permit that requires us to install fire suppression equipment in the towers. The only reference we are aware of in the permit is the obligation to "maintain any fire alarm systems, sensor systems and fire suppression equipment that is installed". While we certainly do maintain the sensor and alarm systems that are installed, we do not believe this language requires us to install any additional systems. This is particularly true given that, as I understand it, the issue of making a fire suppression system a requirement was expressly raised to the SEC during the permitting process, but they made the decision to not include it as part of the permit.

If we are missing something in the permit that does expressly require us to install a fire suppression system, we are certainly happy to review.

Thanks.

Mark



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fax: (484)654-1069

Mark.Epstein@iberdrolaRen.com

From: Anstey, Ronald [<mailto:Ronald.Anstey@dos.nh.gov>]
Sent: Thursday, August 01, 2013 4:03 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren

Subject: RE: O &M Building

Hi Mark,

Thanks for the update. I reviewed the fire detection and protection plan that you submitted. It is the same material that was discussed 2 years ago when we required the automatic fire suppression. No automatic fire suppression plans were included in this most recent submittal.

Have a nice weekend.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Thursday, August 01, 2013 2:04 PM
To: Anstey, Ronald
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren
Subject: RE: O &M Building

Ron,

Just to give you an update, but the records are being reviewed on this.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@iberdrolaRen.com

From: Anstey, Ronald [<mailto:Ronald.Anstey@dos.nh.gov>]
Sent: Thursday, July 25, 2013 2:17 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com
Subject: RE: O &M Building

Great, thanks

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Thursday, July 25, 2013 2:16 PM

To: Anstey, Ronald
Cc: Degnan, J. William; MIacopino@bclilaw.com
Subject: Re: O &M Building

Ron,

We are reviewing the questions. I will touch base with you when I get back into the office next week.

Thanks.

Mark
Mark Epstein
Senior Counsel
Iberdrola Renewables
New Address:
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
(484)654-1885
mark.epstein@iberdrolaren.com

From: Anstey, Ronald <Ronald.Anstey@dos.nh.gov>
To: Epstein, Mark
Cc: Degnan, J. William <J.William.Degnan@dos.nh.gov>; Michael J. Iacopino <MIacopino@bclilaw.com>
Sent: Thu Jul 25 11:00:02 2013
Subject: O &M Building

Hi Mark,

I received a letter from Brian Shedd of Construx, Inc. in Plymouth NH. Construx apparently was the sub-contractor that erected the O&M building. He was not aware that plans were supposed to be submitted to our office and considers the project complete. I spoke with Brian on the phone and he is awaiting some direction from either you or Cianbro. He is willing to assist us in completing the project. His phone number is 603-536-3533. We will require a response to the review questions. Let me know how you would like to proceed.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

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From: Epstein, Mark [Mark.Epstein@iberdrolaren.com]
Sent: Tuesday, October 01, 2013 3:23 PM
To: Anstey, Ronald
Subject: RE: O &M Building

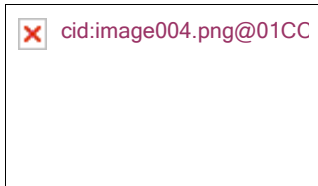
Follow Up Flag: Follow up
Flag Status: Red

Ron,

Do you want to take a few minutes before the hearing to talk? Absent unusual flight delays, I should be in Concord by 9:30/10:00 if you want to grab a coffee before the hearing. Give me a call on my cell (610)772-1363 and let me know.

Thanks.

Mark



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 phone: (484)654-1885
 fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Wednesday, September 11, 2013 1:21 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; Clayton, Michael; SGeiger@orr-reno.com; Cherian, Ed; Delooff, Karl; Michael J. Iacopino
Subject: RE: O &M Building

Hi Mark,

We agree that the time has come to meet rather than continue an email dialogue. We too would like to resolve the issue prior to the hearing. Just one point of clarification, RSA 155-A:7 was changed about a year ago, prior to that the State Fire Marshal could enforce the state building code in a municipality without a building inspector without a request from the municipality. Your project began prior to the change in the statutory language. As such, we are operating under the previous statute and no request is required.

I look forward to our meeting.

Ron

Investigator Ron Anstey, CBO, CFI
 Section Chief, Engineering and Plans Review
 New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Tuesday, August 20, 2013 4:16 PM
To: Anstey, Ronald

Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; Clayton, Michael; SGeiger@orr-reno.com; Echerian@iberdrolaren.com; kdelooff@iberdrolaren.com
Subject: RE: O &M Building

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(For example, the Fire Marshall's office's lack of response to the letter that Mike Iacopino sent to Commissioner John J. Barthelmes on April 5, 2010 supports the idea that we weren't required to separately submit plans to the State Fire Marshall's Office. This is supported by RSA 162-H which has been clearly held to show that submission to the SEC expressly "envisions that all interests be considered and all regulatory agencies combine for the twin purposes of avoiding undue delay and resolving all issues 'in an integrated fashion'".)

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Section Chief, Engineering and Plans Review
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Sent: Thursday, August 01, 2013 4:03 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren
Subject: RE: O &M Building

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Have a nice weekend.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

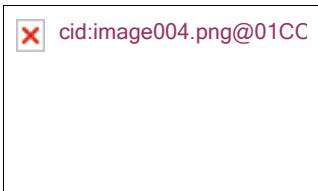
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Sent: Thursday, July 25, 2013 2:17 PM
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Subject: RE: O &M Building

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Section Chief, Engineering and Plans Review
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From: Anstey, Ronald <Ronald.Anstey@dos.nh.gov>
To: Epstein, Mark
Cc: Degnan, J. William <J.William.Degnan@dos.nh.gov>; Michael J. Iacopino <MIacopino@bclilaw.com>
Sent: Thu Jul 25 11:00:02 2013
Subject: O &M Building

Hi Mark,

I received a letter from Brian Shedd of Construx, Inc. in Plymouth NH. Construx apparently was the sub-contractor that erected the O&M building. He was not aware that plans were supposed to be submitted to our office and considers the project complete. I spoke with Brian on the phone and he is awaiting some direction from either you or Cianbro. He is willing to assist us in completing the project. His phone number is 603-536-3533. We will require a response to the review questions. Let me know how you would like to proceed.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

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From: Anstey, Ronald
Sent: Tuesday, October 01, 2013 5:31 PM
To: 'Epstein, Mark'
Cc: Degnan, J. William
Subject: RE: O &M Building

Follow Up Flag: Follow up
Flag Status: Red
Hi Mark,

Thanks for the invitation. Unfortunately my morning is full. I look forward to seeing you at the hearing.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [mailto:Mark.Epstein@iberdrolaren.com]
Sent: Tuesday, October 01, 2013 3:23 PM
To: Anstey, Ronald
Subject: RE: O &M Building

Ron,

Do you want to take a few minutes before the hearing to talk? Absent unusual flight delays, I should be in Concord by 9:30/10:00 if you want to grab a coffee before the hearing. Give me a call on my cell (610)772-1363 and let me know.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@iberdrolaRen.com

From: Anstey, Ronald [mailto:Ronald.Anstey@dos.nh.gov]
Sent: Wednesday, September 11, 2013 1:21 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; Clayton, Michael; SGeiger@orr-reno.com; Cherian, Ed; Delooff, Karl; Michael J. Iacopino
Subject: RE: O &M Building

Hi Mark,

We agree that the time has come to meet rather than continue an email dialogue. We too would like to resolve the issue prior to the hearing. Just one point of clarification, RSA 155-A:7 was changed about a year ago, prior to that the State Fire Marshal could enforce the state building code in a municipality without a building inspector without a request from the municipality. Your project began prior to the change in the statutory language. As such, we are operating under the previous statute and no request is required.

I look forward to our meeting.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Tuesday, August 20, 2013 4:16 PM
To: Anstey, Ronald
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; Clayton, Michael; SGeiger@orr-reno.com; Echerian@iberdrolaren.com; kdelooff@iberdrolaren.com
Subject: RE: O &M Building

Ron,

Thanks for a copy of your letter.

We are certainly happy to formally address this matter in a hearing before the SEC, but in the interests of using resources on substantive efforts rather than on a legal dispute, I am wondering if there is some intermediate solution that might address your concerns, particularly given that the strength of the record.

(For example, the Fire Marshall's office's lack of response to the letter that Mike Iacopino sent to Commissioner John J. Barthelmes on April 5, 2010 supports the idea that we weren't required to separately submit plans to the State Fire Marshall's Office. This is supported by RSA 162-H which has been clearly held to show that submission to the SEC expressly "envisions that all interests be considered and all regulatory agencies combine for the twin purposes of avoiding undue delay and resolving all issues 'in an integrated fashion'".)

On the question of the project itself, as I mentioned in my earlier email, the SEC formally addressed the concerns in your October 17, 2010 letter as part of the application process and expressly decided not to accept those requirements. (See, for example, page 74 of the SEC Decision.) I appreciate your desire to reintroduce those concerns and enforce additional requirements on the project, but to the best of our knowledge, no one in the town of Groton has made a request to your office to do so as required by RSA 155-A:7, I, and thus I am not sure I understand the basis for you to do so.

In any event, rather than spend time formally arguing over these issues, particularly given the current status of the project, I am hopeful there is, as I suggested, some other action we can take to satisfy your concerns.

Please let me know when we can set up a time to discuss.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [<mailto:Ronald.Anstey@dos.nh.gov>]
Sent: Thursday, August 15, 2013 5:08 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; Clayton, Michael
Subject: RE: O &M Building

Hi Mark,

Attached is a letter that I delivered for presentation to the committee yesterday. It should cover the issue.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Thursday, August 15, 2013 2:55 PM
To: Anstey, Ronald
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren; mclayton@iberdrolaren.com
Subject: RE: O &M Building

Ron,

I apologize for the delay in getting back to you, but we wanted to confirm internally the history of the permitting on the project.

As we see it, there is nothing in our permit that requires us to install fire suppression equipment in the towers. The only reference we are aware of in the permit is the obligation to "maintain any fire alarm systems, sensor systems and fire suppression equipment that is installed". While we certainly do maintain the sensor and alarm systems that are installed, we do not believe this language requires us to install any additional systems. This is particularly true given that, as I understand it, the issue of making a fire suppression system a requirement was expressly raised to the SEC during the permitting process, but they made the decision to not include it as part of the permit.

If we are missing something in the permit that does expressly require us to install a fire suppression system, we are certainly happy to review.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200

100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [<mailto:Ronald.Anstey@dos.nh.gov>]
Sent: Thursday, August 01, 2013 4:03 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren
Subject: RE: O &M Building

Hi Mark,

Thanks for the update. I reviewed the fire detection and protection plan that you submitted. It is the same material that was discussed 2 years ago when we required the automatic fire suppression. No automatic fire suppression plans were included in this most recent submittal.

Have a nice weekend.

Ron

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Thursday, August 01, 2013 2:04 PM
To: Anstey, Ronald
Cc: Degnan, J. William; MIacopino@bclilaw.com; Emmett, Doren
Subject: RE: O &M Building

Ron,

Just to give you an update, but the records are being reviewed on this.

Thanks.

Mark



Mark Epstein
Senior Counsel
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
phone: (484)654-1885
fax: (484)654-1069

Mark.Epstein@IberdrolaRen.com

From: Anstey, Ronald [<mailto:Ronald.Anstey@dos.nh.gov>]
Sent: Thursday, July 25, 2013 2:17 PM
To: Epstein, Mark
Cc: Degnan, J. William; MIacopino@bclilaw.com

Subject: RE: O &M Building

Great, thanks

Investigator Ron Anstey, CBO, CFI
Section Chief, Engineering and Plans Review
New Hampshire State Fire Marshal's Office

From: Epstein, Mark [<mailto:Mark.Epstein@iberdrolaren.com>]
Sent: Thursday, July 25, 2013 2:16 PM
To: Anstey, Ronald
Cc: Degnan, J. William; MIacopino@bclilaw.com
Subject: Re: O &M Building

Ron,

We are reviewing the questions. I will touch base with you when I get back into the office next week.

Thanks.

Mark
Mark Epstein
Senior Counsel
Iberdrola Renewables
New Address:
2 Radnor Corporate Center, Suite 200
100 Matsonford Rd.
Radnor PA 19087
(484)654-1885
mark.epstein@iberdrolaren.com

From: Anstey, Ronald <Ronald.Anstey@dos.nh.gov>
To: Epstein, Mark
Cc: Degnan, J. William <J.William.Degnan@dos.nh.gov>; Michael J. Iacopino <MIacopino@bclilaw.com>
Sent: Thu Jul 25 11:00:02 2013
Subject: O &M Building

Hi Mark,

I received a letter from Brian Shedd of Construx, Inc. in Plymouth NH. Construx apparently was the sub-contractor that erected the O&M building. He was not aware that plans were supposed to be submitted to our office and considers the project complete. I spoke with Brian on the phone and he is awaiting some direction from either you or Cianbro. He is willing to assist us in completing the project. His phone number is 603-536-3533. We will require a response to the review questions. Let me know how you would like to proceed.

Ron

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From: Delooff, Karl [kdelooff@iberdrolaren.com]
Sent: Wednesday, October 02, 2013 7:05 PM
To: Anstey, Ronald
Cc: Epstein, Mark; dan@periphman.com
Subject: Groton Wind - Potential Suppression Technology

Follow Up Flag: Follow up
Flag Status: Red
Ron:

As we discussed after the hearing today, we are looking at a technology that is newer and used in the computer server field and hazmat areas. I think it shows promise for protecting nacelles under real world conditions – not just the very low risk cabinets that current technology can protect.

Here is the link to the manufacturer’s site: <http://www.periphman.com/index.shtml>

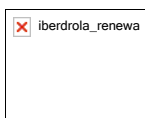
My contact is Dan Anderson – 720-746-1205, copied above.

Currently we are working with NREL in Golden, CO, to determine if we can use their GE 1.5 MW nacelle on the ground for proof of concept testing. We are discussing the protocols for the testing (for validity and forward compatibility with a potential ANSI/IEC standard) and for protecting their asset from potential damage during the testing – as we will likely have to generate a larger fire than what we would normally detect and suppress for testing purposes. We are looking for existing protocols that we could adapt to our scenario so that we don’t invent something from whole cloth or perform a test that would be considered invalid later. So, I have asked Dan and NREL to research what standard tests could be performed in the nacelle environment. They are doing this at this time. I expect an answer from them this month.

If and when this is successful, I will be working with Gamesa to determine how to integrate this into the SCADA system. Since it is electronically actuated, this should be easier than other technologies.

If you have any suggestions, please let me know.

Thanks,
Karl



Karl J. DeLooff
Director - Environment, Health, Safety and Security
Engineering and Construction
1125 NW Couch St., Suite 700, Portland, OR, 97209
Cellular (610) 547-4393
Fax (616) 892-9935
kdelooff@iberdrolaren.com



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