

E-Cooustic Solutions LLC

NOISE CONTROL • SOUND MEASUREMENT • CONSULTATION
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BY ELECTRONIC MAIL

September 18, 2015

Chairman Martin Honigberg
New Hampshire Site Evaluation Committee
21 South Fruit Street, Suite 10
Concord, NH 03301

Re: NH Site Evaluation Committee Rulemaking, Docket No. 2014-04

Dear Chairman Honigberg:

Thank you for the opportunity to provide comments pertaining to New Hampshire's ongoing rulemaking under Docket 2014-04.

I am a noise control and acoustical consultant at E-Cooustic Solutions, LLC, my own firm, where we specialize in noise control, noise measurement and preventing adverse impacts on people and communities. I appeared before the Site Evaluation Committee during the Antrim Wind proceeding (Docket 2012-01). I was also one of several acousticians who participated in the New Hampshire stakeholder process to develop guidelines for safe siting of wind energy facilities in spring 2014. Finally, I participated at the June 29, 2015 technical session moderated by SEC attorneys where we discussed, among other topics, the draft rules pertaining to sound.

At the technical session, a document I prepared was shared with the attendees addressing several questions regarding the rules, including whether it is appropriate to explicitly reference the ISO and ANSI standards by number and date.

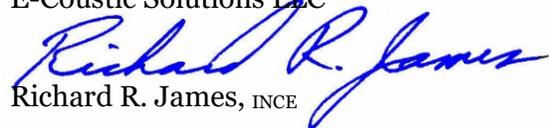
In citing the standards by name/date, the Committee provides legal certainty for what is needed in order to comply with the regulation. In New Hampshire, those standards would be ANSI S12.9 Part 2 and S12.9 Part 3. Legal certainty is important in ensuring all parties, including the experts working on behalf of the Applicant and experts working on behalf of Intervenor, use best practice methods and accepted measurement protocols. Doing so also ensures the results are repeatable. From time to time these standards are expected to change to reflect new technology or understanding of how sound impacts people and communities. The Standards Committee that oversees these changes is aware of how the standards are used in noise regulations. They take care to make changes that improve their use by acousticians without compromising the legal value. These changes are covered by referencing the standard number and adding "most recent version."

It is useful to understand that not all portions of a standard will apply under all conditions. The standards include logic to guide the acoustician's measurements based on the circumstances of each measurement and test site. Citing the specific standard by part numbers is important (e.g. ANSI S12.9 Part 3). However, the standards are designed to advise the acoustician as to which sub-sections are relevant for each type of measurement situation. Text within the standard informs acousticians on the conditions under which options in the standard apply and which do

not apply. The Committee does not need to site specific sections. Doing so may interfere with proper application of the ANSI Standard's protocols leading to unintended loopholes that benefit one party over another.

Thank you for the opportunity to assist in this important process. If you have any questions or require further clarification, please do not hesitate to contact me at 517-507-5067 or by email at rickjames@e-coustic.com.

Sincerely,
E-Coustic Solutions LLC


Richard R. James, INCE