

March 2, 2015

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[REDACTED]

BY ELECTRONIC MAIL (david.Wiesner@puc.nh.gov)

New Hampshire Site Evaluation Committee c/o David K. Wiesner, Staff Attorney
N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

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

Dear Mr. Wiesner,

Thank you for the opportunity to participate in this public hearing regarding the establishment of rules for the siting of energy facilities.

The legislature was very clear when SB 281 and SB 245 were passed that decommissioning of an operating power plant, particularly a wind plant, needs to be carefully considered.

Rusting, abandoned five-hundred foot towers are a problem not just for the host community, but for the state of New Hampshire.

It is also important to target the restoration of a site to be as close to its original condition before it was developed.

This means the removal of all the towers and it's components, the removal of all concrete and the restoration to the original state of all areas disturbed during construction and maintenance of the site. It should also cover all mitigation of hazardous substances that may be stored or present at the site. It should also include the planting of vegetation species originally removed during construction so that the site is restored as close to its original state.

Any reached agreement must have funding for a decommissioning plan and a secured bond or letter of credit must be part of the agreement.

Civil Engineers, Mechanical Engineers and experts must be involved in the plan for restoring the site to its original condition have to be engaged in the process as well as legal counsel to negotiate the payment bond or letter of credit to cover decommissioning.

Proposed rules for decommissioning.

7. Decommission Plan

- i. Include a decommissioning plan prepared by an independent, qualified engineer familiar with wind energy system decommissioning. The plan will provide for removal of all structures and restoration of the facility site with a description of sufficient and secure funding to implement the plan, which shall not account for the anticipated salvage value of facility components or materials, including the provision of financial assurance in the form of an irrevocable standby letter of credit, performance bond, or surety bond. Decommissioning would consist of the following:
 - a. All turbines, including the blades, nacelles and towers, would be disassembled and transported off-site for reclamation and sale;
 - b. All of the transformers would also be transported off-site for reuse or reclamation;
 - c. The overhead power collection conductors and the power poles would be removed from the site;
 - d. All underground infrastructure at depths less than four feet below grade would be removed from the site; and
 - e. All underground infrastructure at depths greater than four feet below finished grade would be abandoned in place. Areas where subsurface components are removed would be filled, graded to match adjacent contours, and re-seeded, stabilized with an appropriate seed and allowed to re-vegetate naturally.
- ii. The decommissioning fund will be reviewed every five years to validate adequate funding. The fund will increase over time to account for inflation. Deerfield has agreed not to consider
- iii. The fund should be bankruptcy-remote to protect it against
- iv. creditor claims in the event the Project encounters financial difficulty.
- v. If the Project fails to produce at least 65% of the output projected by the Applicant during any consecutive 12-month period, then a decommissioning review may be instituted at the discretion of the Committee.

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