

**BEFORE  
THE OHIO POWER SITING BOARD**

IN THE MATTER OF THE OHIO POWER )  
SITING BOARD'S CONSIDERATION OF )  
OHIO ADMINISTRATIVE CODE )  
CHAPTER 4906-4 )

CASE NO. 19-778-GE-BRO

**RECEIVED**

**REPLY COMMENTS SUBMITTED  
BY JULIA F. JOHNSON**

JUL 26 2019

DOCKETING DIVISION  
Public Utilities Commission of Ohio

**I. INTRODUCTION**

On July 19, 2019 comments from interested persons were submitted in response to the Ohio Power Siting Board's request issued June 20, 2019 with respect to revisions proposed to Ohio Administrative Code Rule 4906-4-09 and a new provision OAC Rule 4906-4-10. Reply comments to these rules were requested to be filed no later than July 26, 2019. Julia Johnson filed timely comments on Rule 4906-4-10 and those comments were accepted for by the Ohio Power Siting Board and posted in the case record.

Reply comments provided herein speak to the initial Rule 4906-4-10 comments submitted by the Mid-Atlantic Renewable Energy Coalition, ("MAREC") Avangrid Renewables, the Ohio Environmental Council ("OEC") and residents in Huron, Seneca, Erie and Sandusky Counties ("Residents"). Given that reply comments filed by responding parties did not take issue with the initial comments filed by Julia Johnson, it may be presumed that those parties have no objection to particular points raised by Ms. Johnson.<sup>1</sup>

**II. DISCUSSION**

**A. Reporting: 4906-4-10 Notice and reports of incidents involving wind farm facilities**

There appears to be general agreement that the establishment of an incident reporting protocol is in the public interest. Notwithstanding, MAREC, Avangrid and the OEC take issue with the proposed reporting protocol as overly burdensome and possibly overtaxing the resources of local law enforcement and first responders. Given the numerous assurances of the wind industry that incidents are extremely rare events, it strains credulity to think incident reporting would be a burden to local safety and law enforcement.

The comments submitted by Residents are reasonable and should be adopted by the Ohio Power Siting Board. In particular, Resident's recommendations for the incorporation of written reports as a matter of Public Record filed with both local law enforcement and government officials is important. Currently, the only publicly available source of incident reports is the Caithness Windfarm Information Forum <http://www.caithnesswindfarms.co.uk/AccidentStatistics.htm>.

An excerpt from the Caithness website states:

<sup>1</sup> MAREC erroneously claims the comments filed by Julia F. Johnson were not timely filed and should be disregarded. Due to a misunderstanding, Ms. Johnson's comments were originally posted under Public Comments but were moved to the case record in ample time for replies.

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Technician A Date Processed 7/29/19

“Our data clearly shows that blade failure is the most common accident with wind turbines, closely followed by fire. This is in agreement with GCube, the largest provider of insurance to renewable energy schemes. In June 2015, the wind industry's own publication "Wind Power Monthly" published an article confirming that "Annual blade failures estimated at around 3,800", based on GCube information. A GCube survey in 2013 reported that the most common type of accident is indeed blade failure, and that the two most common causes of accidents are fire and poor maintenance. A further GCube report in November 2015 stated that there are an average 50 wind turbine fires per year, and this remains unchanged in the latest 2018 GCube publication <http://www.gcube-insurance.com/reports/towering-inferno/>”

Despite the comprehensive nature of the Caithness Windfarm Information Forum, the wind industry has successfully objected to the use of information from this resource as “hearsay” and ineligible to be considered in siting cases. This position has historically been upheld by the staff of the Ohio Power Siting Board. As a result, the public continues to be at risk from siting which is not informed by actual blade failure or other incident experiences. The comments of MAREC, AV and the OEC do not contribute to the continued improvement or educated decision-making in siting recommendations as wind turbine technology continues to evolve. In fact, they argue for precisely the opposite.

#### **B. Residents’ proposal for Public Hearing in Rule 4906-4-10**

The suggested proposal for Public Hearings and Public Notice contained in the Comments filed by Residents of Erie, Huron, Sandusky and Seneca Counties is appropriate. The history of the wind industry in Ohio is one which lacks transparency in nearly every aspect. The public has been denied access to Avian mortality data in the Blue Creek project on the basis of trade secret information; safety manuals are shielded as trade secret; wind leases are not fully recorded; leaseholders have provisions subjecting them to confidentiality and/or to strict rules limiting them to report incidents or complaints only to the developer and to no one else. This environment must change if Ohio is expected to be more welcoming to renewable energy development.

Invitations extended to the public, including leaseholders, to report incidents is an appropriate first step. Written incident reports filed as part of the public record should follow. Thereafter, a public hearing or public comment on the incident report should be invited to ensure a clear and consistent understanding of the cause of a failure, the impacts of the failure and steps taken to prevent future incidents and improve the safety of neighboring people and property.

### **III. Conclusion**

Since its introduction in Ohio, utility scale wind development has been a one-sided business operating principally outside of public view. The public deserves a more balanced approach which begins to foster a greater culture of partnership in a community. To the extent that proposed rules for incident reporting and follow-up which are more transparent and can foster a culture of greater accountability, everyone will benefit. The comments of MAREC, Avangrid and the OEC needlessly attempt to obfuscate an otherwise straightforward issue .

Respectfully Submitted,

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