



Case No. 17-1152-EL-BGN

July 15, 2020

Ohio Power Siting Board  
Docketing Division  
180 East Broad Street, 11<sup>th</sup> Floor  
Columbus, Ohio 43215-3793  
Attn: Grant Zeto

**RE: Hillcrest Solar I, LLC  
Case Nos. 17-1152-EL-BGN and 18-1267-EL-BGA**

**Notice of Compliance with Certificate Condition #11 - During the construction and operation of the Solar Farm, Hillcrest shall submit to Staff a complaint summary report by the fifteenth day of April, July, October, and December of each year for the first five years of operation. The report should include a list of all complaints received through the Applicant's complaint resolution process, a description of the actions taken toward a resolution of each complaint, and a status update if the complaint has yet to be resolved.**

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Dear Mr. Zeto;

Hillcrest Solar I, LLC ("Hillcrest Solar") is certified to construct a solar-powered electric generation facility in Brown County, Ohio in accordance with the Certificate of Environmental Compatibility and Public Need (CECPN or Certificate) from the Ohio Power Siting Board (OPSB) on February 15, 2018 (OPSB Case Number: 17-1152-EL-BGN) and Order on Certificate on February 21, 2019 (OPSB Case Number 18-1267-EL-BGA).

In accordance with Certificate Condition #11, the following is a summary of complaints received by Hillcrest Solar I, LLC regarding the Hillcrest Solar Project (the Project) from the second quarter of 2020 (April 1 – June 30).

Hillcrest Solar received 2 formal complaints that were addressed according to the Hillcrest Solar Complaint Resolution Process (docketed December 12, 2019 according to Certificate Condition #10). A Comments and Complaints Form was filled out for each issue and details recorded in an internal complaint tracking table. Project personnel, including the Owners Site Representatives and Lands and Community teams and/or PCL (Contractor) followed up with the individual to listen to their concerns and discuss solutions. All complaints received by Hillcrest Solar as of July 1, 2020 regarding the Project are considered resolved.

Attached please find copies of the tracking table for details of each complaint as well as the associated Comment and Complaint Form regarding compliance with Certificate Condition #11 of the Opinion, Order

and Certificate issued on February 15, 2018 in Case No. 17-1152-EL-BGN. For the privacy of those who submitted a complaint, personal information (phone number, address, etc.) has been redacted. We are available, at your convenience, to answer any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Julia Mancinelli', with a stylized, looping flourish at the end.

Julia Mancinelli, Director – Environment

Attachments: Hillcrest Solar Complaint Tracking Table  
Hillcrest Solar Project Comments and Complaint Form

Hillcrest Solar I, LLC – Compliant Tracking Table – Second Quarter of 2020 (April 1 – June 30)						
Date Complaint Received	Name <sup>12</sup>	Method of Contact	Complaint Description	Action Taken by Hillcrest Solar	Resolution	Date of Resolution
May 18, 2020	Howard Hawk	Mr. Hawk phoned a Hillcrest Solar staff member.	Mr. Hawk was concerned that the silt fence installed adjacent to his fields were preventing water from draining from his fields. If the fields do not drain, Mr. Hawk would not be able to plant that field.	Silt fencing was initially replaced with straw bales. This action did not solve the drainage issue so a meeting was held with Mr. Hawk and Hillcrest Solar Site Representatives to find another solution.	Hillcrest Solar inquired with the site’s Environmental Monitor (Cardno Environmental) to find a solution to the drainage issue while maintaining compliance with the Storm Water Pollution Prevention Plan (SWPPP). PCL replaced the silt fence and straw bales with a check dam and an alteration to the original SWPPP was approved and recorded by Cardno.	May 20, 2020
June 25, 2020	Wade James Young	Mr. Young called a PCL administrator who connected him with a Hillcrest Solar Site Representative.	Mr. Young expressed concern that the noise from construction would have a negative impact on his mother’s health. Mr. Young was very upset and explained that his family had been in the area since the 1970s and that his 80 year old mother suffers from health issues and is only able to sleep intermittently throughout the day due to pile driving noise from the Project. Pile driving activity at the time was nearly one mile from the residence.	Due to Mr. Young’s clear emotional distress over the matter, Hillcrest Solar made several attempts to resolve the matter with Mr. Young and his wife. Phone calls were made on June 25, 26, and 28. On July 7 Hillcrest Solar obtained confirmation from the Young family on the proposed solution. The solution was implemented on July 10.	As the house does not have air conditioning, the windows were left open to cool down the house during the warmer weather. This resulted in noises from the Project having more impact on those in the house trying to sleep during the day. Hillcrest Solar assisted the Youngs with implementing proper air conditioning in the house so the windows could remain closed and mitigate noise impacts. Mrs. Young accepted and thanked Hillcrest Solar for the solution, and communication between both parties remains open if noise is still an issue as pile driving operations move closer to the residence.	July 10, 2020

<sup>1</sup> Hillcrest Solar I, LLC/Innergex Renewable Energy staff members include Rachel Crary (Director - Lands & Community), Maclean Nash (Coordinator - Lands & Community), Jason Sirois (Owners Site Representative), Nicholas Adams (Owners Site Representative), Madison Walsh (Coordinator - Environment)

<sup>2</sup> PCL (Contractor) staff member includes Don Demers (Superintendent)

## COMMENTS AND COMPLAINTS FORM

Date: June 25, 2020

Name: Wade James Young

Address:

City:

State:

Zip code:

Phone:

Email:

### Comment or complaint received:

In person

☒

By phone

☒

By email

☐

### Nature and description of comment or complaint

(Description, circumstances, place and time if relevant, etc.)

Mr. Young contacted PCL admin who then advised Hillcrest Solar of the complaint. Mr. Young was concerned that the noise from the pile driving would have a negative impact on his mother's health.

Don Demers of PCL and Jason Sirois of Hillcrest Solar spoke with Mr. Young later that day. Mr. Young was very upset and explained that his family had been in the area since the 1970s. He explained that his mother was 80 years old, suffering from diabetes and was only able to sleep intermittently throughout the day and the project and pile driving was creating excessive noise. PCL was concerned with Mr. Young's tone and aggressive statements as PCL believed Mr. Young to be intoxicated. Mr. Sirois also received a concerning voice message from Mr. Young but also included a suggestion that Innergex/Hillcrest Solar should buy his mother's home so she could move.

## **Follow-up made**

(Please describe the actions taken following receipt of the comment or complaint) was a response made to the party filing the complaint?

From this point on, Rachel Crary (Director – Community & Lands) reached out to Mr. Young and was the sole point of contact for him and the Young family. Ms. Crary called Mr. Young on June 26, 2020. Mr. Young was pleasant to speak with and he reiterated his concerns about his mother and her difficult sleeping during the day with the increase in noise due to the pile driving. Ms. Crary acknowledged his issues and they discussed the following: Mr. Young noted that he could hear the noise as they were speaking and that it seemed the crews were ~1 of a mile away. Mr. Young said that he couldn't even imagine the noise when it will be even closer. Mr. Young brought up the option of moving his mother (if Innergex purchased her home); however, Ms. Crary noted that process would take months, by which point the pile driving wouldn't be an issue. Ms. Crary let him know the construction team would need to do their due diligence with different options and that she would call him later that afternoon once she heard back from the construction team.

Later on June 26, 2020, Ms. Crary and Mr. Young spoke again. Ms. Crary suggested the idea that they could stay in the Countryside Inn while the pile driving work was near the home. Mr. Young did not think his mother would agree to stay there. Ms. Crary suggested Hillcrest Solar could put her up in a local AirBNB but that it wouldn't likely be very close to Mt. Orab. Mr. Young thought that might work and Ms. Crary said she would look for possible options and reach out to him once she found some potential places. Mr. Young expressed his gratitude for taking his concerns seriously and trying to accommodate them.

On June 28, 2020 Ms. Crary called Mr. Young. He again suggested Hillcrest Solar buy his mothers home. Ms. Crary made a mental note that he did not sound sober and Mr. Young acknowledged that he has a temper. Mr. Young asked Ms. Crary to discuss the options with his wife, Kim so that he wouldn't lose his temper with Ms. Crary. Kim confirmed that Mr. Young's mother had already been complaining about the noise and loss of sleep, and that crews were still 3,000 feet away. Kim wanted to know about the noise timeline and Ms. Crary let them know that it would be the current level or louder through the end of August and that crews would be within 1,000 feet of the house for two – three weeks starting mid-July. Ms. Crary offered the AirBNB for the whole months of July and August. Neither Mr. or Mrs. Young thought the mother would be willing to stay at the local Inn or an AirBNB.

## **Mitigation measures**

(Please describe the mitigation measures or corrections taken/made, if required)

Ms. Crary spoke with Kim Young on July 7, 2020. They decided that the best option would be to have portable Air Conditioning Units so that the mother could still have cool, air circulating in her home and keep her widows shut to mitigate the noise. Ms. Crary also let them know that Hillcrest Solar would pay their electric bill for the months of July and August and that Jason Sirois or Nick Adams (Hillcrest Solar Site Representatives) would help install them if help is necessary. Kim Young's response was "That is so wonderful of you! Your help is greatly appreciated!" Ms. Crary also let them know that if this option does not mitigate the noise that the option of paying for the mother to stay at an Inn or Air BNB would still be available.

## **Additional information**

The AC units were provided to the Young family on July 10, 2020.

Date completed on: July 7, 2020

\_\_\_\_\_  
Responsible for comment and complaint follow-up

### **How to File a Complaint**

Please submit either in person at project site office, by phone (604) 633-9990 ext. 2011 or by email [Hillcrest\\_Solar@innergex.com](mailto:Hillcrest_Solar@innergex.com).

If the complainant is unsatisfied with the resolution of their complaint, they are encouraged to contact the OPSB at 866-270-6772 or [contactopsb@puco.ohio.gov](mailto:contactopsb@puco.ohio.gov).

## COMMENTS AND COMPLAINTS FORM

May 20, 2020

Date: \_\_\_\_\_

Name: Howard Hawk

Address: [REDACTED]

City: [REDACTED]

State: [REDACTED]

Zip code: [REDACTED]?

Phone: [REDACTED]

Email: \_\_\_\_\_

### Comment or complaint received:

In person ☐

By phone ☒

By email ☐

HH phoned Nick Adams

### Nature and description of comment or complaint

(Description, circumstances, place and time if relevant, etc.)

Howard reached out with concerns that silt fence installed adjacent to his fields are preventing water from draining from these fields. Howard indicated that Jamie was aware of the issue and that a section of silt fence had been replaced with straw bails but that this had not corrected the issue. If this field does not drain Howard would not be able plant that field.

### SECTION FOR USE BY THE PARTY RESPONSIBLE FOR ADDRESSING COMMENTS AND COMPLAINTS

#### Follow-up made

(Please describe the actions taken following receipt of the comment or complaint)

Nicholas Adams asked Don Demers to confirm the location of the issue and advise what corrections are recommended? Nicholas Adams said he would advise Cardno of any changes required.

## Mitigation measures

(Please describe the mitigation measures or corrections taken/made, if required)

Jason Sirois and Nick Adams, and PCL met with Howard Hawk on May 20 and came up with a plan to address his concerns and scheduled to correct the issue the first or second week of June.

## Feedback and information

For complaints, when and by what means was a response made to the party filing the complaint?

## Additional information

May 20, 2020

Date completed on: \_\_\_\_\_

\_\_\_\_\_

Responsible for comment and complaint follow-up

### How to File a Complaint

Please submit either in person at project site office, by phone (604) 633-9990 ext. 2011 or by email [Hillcrest\\_Solar@innergex.com](mailto:Hillcrest_Solar@innergex.com).

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**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**7/14/2020 11:33:24 AM**

**in**

**Case No(s). 17-1152-EL-BGN**

Summary: Notice Notice of Compliance with Certificate Condition No. 11 - Compliant Report  
Q2 2020 electronically filed by Ms. Madison Walsh on behalf of Hillcrest Solar I, LLC