



Power Siting Board

Ted Strickland, Governor
Alan R. Schriber, Chairman

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PUCO

Board Members

November 17, 2010

Ed Rogers
9247 CR 130
Kenton, OH 43326

Christopher Korleski
Ohio Environmental Protection Agency

Re: Hardin Wind Farm, Case Number 09-0479-EL-BGN

Lisa Patti-McDaniel
Ohio Department of Development

Mr. Rogers,

Dr. Alvin Jackson
Ohio Department of Health

Thank you for bringing to our attention a few errors in the Hardin Wind Farm case. We regret that your property was erroneously identified as a participating parcel in the maps that were sent to you. Your property was listed as non-participating in the maps in Hardin Wind Energy LLC's application filed on September 18, 2009. An update to the property data submitted by the Applicant to the OPSB was used to create the maps that appear in the Staff Report. The updated data contained the error identifying your property as participating.

Sean Logan
Ohio Department of Natural Resources

Despite the error, your property was treated as a non-participant for purposes of determining setbacks. The minimum setback to a non-participating property, as established in Ohio Revised Code 4906.20(B)(2), is 1.1 times the total height of the turbine. In this case, the Applicant proposed a maximum turbine height of 398 feet; therefore, the minimum statutory setback equates to 438 feet from the nearest non-participating property. The Applicant used a 1.5 multiplier for property setbacks, which equates to 597 feet. According to our records, the nearest edge of your property is approximately 790 feet from the nearest turbine (Turbine 184).

Robert Boggs
Ohio Department of Agriculture

The minimum setback to the edge of the nearest habitable residence is established in the Ohio Revised Code as 750 feet from the tip of the turbine's nearest blade at ninety degrees. In this case, the Applicant proposed a maximum blade length of 135 feet; therefore, the minimum statutory setback equates to 885 feet from the nearest residence. The Applicant chose to apply a 1,000-foot setback from all residences. According to our records, the nearest edge of your home is approximately 1,070 feet from the nearest turbine.

Dr. Ali Keyhani
Public Member

Timothy J. DeGeeter
Ohio House of Representatives

It appears that the residence of G. Flinn, 8645 CR 130, was omitted from the Applicant's database of residences. According to our records, the nearest turbine is approximately 680 feet from the Flinn property and 1,130 feet from the Flinn residence, which exceed the minimum setbacks required by the Ohio Revised Code and the greater setbacks established by the Applicant. However, because the residence appears to have been omitted in the application, the impacts to this residence may not have been properly evaluated. We will be in contact with the Applicant to determine what studies need to be conducted again to include the Flinn residence, and ensure that this residence is included in all future studies. Any results would become part of the public record for this case. Thank you again for bringing this oversight to our attention.

Louis W. Blessing Jr.
Ohio House of Representatives

Tam Sawyer
Ohio Senate

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Ohio Senate

In regards to ice throw, the turbine manufacturer recommends the use of an ice detector if people or objects are within 800 feet of the Applicant's proposed turbine model. The Applicant has stated that the turbines would have ice detection sensors that trigger automatic shutdown. The OPSB certificate requires that the Applicant adhere to these safety measures. In addition, the certificate requires the Applicant to train all workers on the potential hazards of ice conditions. In the event that the project is constructed, the Applicant would be required to remedy any unsafe icing conditions reported by property owners. The Applicant is required to establish a complaint resolution process through which all such concerns are adequately addressed.

Please contact us with any additional questions or concerns regarding Hardin Wind Energy LLC's application with the Ohio Power Siting Board.

Sincerely,

Kim Wissman, Executive Director
Ohio Power Siting Board

Ed Rogers

9247 C.R. 130

Kenton, Ohio

43326

October 22, 2010

Mrs. Wissman,

Thank you for taking the time to send me the map surrounding my family's home. I am glad that I brought this up because there has been some sort of over site on Invenenergy's responsibilities as to the close proximity to my property. (Please see attached) I am sure this has been mistakenly over looked like all the other errors that the wind company has made. (For example, ignoring or "conveniently" over looking an entire co-op with 8900 members.) Someone is not doing their job.

I have not given them permission to use my property as part of their distance. My neighbor entered into a contract with Invenenergy for a turbine, not my family. (Please see document #1)

With the existing proposed site, my boys playing in our back yard are subject to ice throw...on their own property!

This is unacceptable and unsafe.

1. What will be done to solve this problem and make it meet the Ohio Department of Health's distance from a non-consenting property owner?
2. There is also another property owner's house not even marked as a dwelling two houses to my west. (Please see document #2) Does his family not have rights either in Invenenergy's eyes? I am sure this is just another mistake?

I am sure you, much like myself, want to have this wind farm "benefit all of Ohio" and not harm my children in return.

May this letter find you and your family in good health for I am worried about the future health of my own.

Respectfully Submitted,


Ed Rogers

Husband of one and Father of two





1 inch = 1,000 feet