

FILE

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Irwin, Steven

13-0990-EL-BGN ✓

**From:** Kevin Ledet <kaledet1@gmail.com>  
**Sent:** Monday, July 28, 2014 11:13 AM  
**To:** Puco ContactOPSB  
**Subject:** Re: Sound survey case no 13-0990-EL-BGN

I understand that the staff review accepted Wind labs sound survey of 46LEQ at night for this project area. My complaint is that the baseline data is most probably corrupted by the use of locomotive air horns in the northern area of the project. The CSX RR has now ceased the air horns and I know that the daytime and night time LEQ is lower. I believe that the OPSB precedent goal of 51dba is to high to begin with. A reassessment of the sound survey at this time will quite possibly limit future litigation.

On Mon, Jul 28, 2014 at 10:50 AM, Puco ContactOPSB <[ContactOPSB@puc.state.oh.us](mailto:ContactOPSB@puc.state.oh.us)> wrote:

Mr. Ledet,

RECEIVED-DOCKETING DIV  
2014 JUL 28 AM 11:38  
PUCO

Thank you for your continued interested in the proposed Greenwich Windpark, Ohio Power Siting Board (OPSB) Case No. 13-0990-EL-BGN. Your correspondence will be docketed in the case record.

The OPSB Staff completed its formal investigation of this project on April 18, 2014 by publishing a Staff Report of Investigation. The Staff's analysis of the Applicant's study of the operational noise of the proposed project may be found on page 35 and 36 of the report. Of particular note:

"Based on Staff's review, the Applicant's proposed turbine layout is not likely to generate unacceptable noise for non-participating residents. Staff is aware that this representation is based on model results, and actual sound output levels could be different when the wind farm is in operation. Therefore, Staff recommends that the certificate be condition upon the requirement that the Applicant adhere to the OPSB precedent goal of 51 dBA, which is the nighttime  $L_{EQ}$  plus 5 dBA, except when, during daytime operation, the Applicant can demonstrate that the slightly high noise levels do not exceed validly measured  $L_{EQ}$  at the receptor by more than 5 dBA. Additionally, Staff recommends that the Applicant establish a complaint resolution process through which complaints related to facility noise can be resolved." (Staff Report, 36).

The Staff Report recommended such a condition, which may be found on page 56 of the Staff Report (Condition #15).

The Joint Stipulation and Recommendation filed on behalf of the Staff of the OPSB, the Ohio Farm Bureau Federation, and the Applicant, 6011 Greenwich Windpark on May 16, 2014, includes the condition:

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"The facility shall be operated so that the facility noise contribution does not result in noise levels at the exterior of any currently existing non-participating sensitive receptor that exceed the project area ambient nighttime LEQ (46 dBA) by 5 dBA. During daytime operation only (7:00 a.m. to 10:00 p.m.), the facility may operate at the great of: (a) the project area ambient nighttime LEQ (46 dBA) plus five dBA; or, (b) the validly measured ambient LEQ plus five dBA at the location of the sensitive receptor. After commencement of commercial operation, the Applicant shall conduct further review of the impact and possible mitigation of all facility-related noise complaints through its complain resolution process." (Joint Stipulation and Recommendation, 4-5, Condition #15).

The case remains to be pending before the Board, who will ultimately accept, modify, or deny the Joint Stipulation and Recommendation.

Again, thank you for your continued interest in the case.

Steve

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Steve Irwin  
Public Outreach Coordinator  
Ohio Power Siting Board  
614.466.2871  
OPSB.ohio.gov



**From:** Kevin Ledet [mailto:[kaledet1@gmail.com](mailto:kaledet1@gmail.com)]  
**Sent:** Friday, July 25, 2014 7:17 PM  
**To:** Puco ContactOPSB  
**Cc:** [monica.jensen@windlab.com](mailto:monica.jensen@windlab.com)  
**Subject:** Sound survey case no 13-0990-EL-BGN

I've sent at least two different correspondences to the OPSB concerning the sound survey for this project. They are located in the public comments section; one dated 6/13/2014 with 3 pgs. and one dated 7/9/2014 with 4 pgs. I have not heard from the OPSB if these complaints are being investigated or if they are being ignored. I need to know if this is being addressed before I contract my own sound survey.

Thank you, Kevin Ledet

FILE

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13-0990-EL-BGN

Irwin, Steven

From: Kevin Ledet <kaledet1@gmail.com>  
Sent: Wednesday, July 09, 2014 12:02 PM  
To: PUCO ContactOPSB  
Subject: Sound survey, Case number 13-0990-EL-BGN  
Attachments: Crossing whistle.docx; scan0002.pdf; scan0003.pdf

To the OPSB staff,

Would you please give this information to the voting, non voting members of the OPSB and the public comments section. I'm attaching emails and correspondences between myself and various entities concerning abnormal locomotive air horn usage in the northern area of the Greenwich windpark from Febuary 2013 until October 2013. There are roughly 80 to 100 trains a day that travel this main line. I believe that the ambient sound measurements that were taken in the project area, especially at sound measurement locations 4 and 5, are corrupted. The ambient measurements were taken in June 2013 during the time that the CSX railroad was blowing their air horns at this location. The liability law was changed in the biannual budget and signed into law in June 2013, but didn't take effect until ninety days later. The CSX didn't inform their crews to discontinue air horn usage until late September or early October 2013. My concern is that the ambient noise level is set to high and therefore doesn't truly represent the actual value.

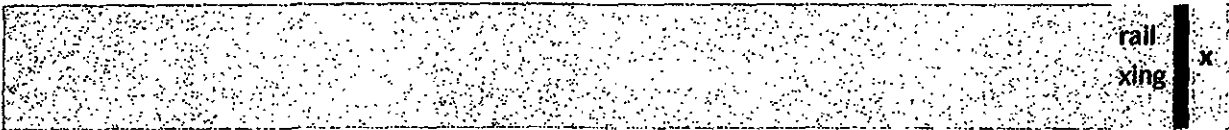
In attempting to determine the impact of noise on adjacent properties it would be prudent to have correct data. In Van Wert, Ohio at the Blue Creek Windfarm project there are 162 industrial wind turbines in operation. I've looked through the documents pertaining to noise levels in that project. To the best of my abilities it would appear that there are 1,188 homes that are referred to in their impact statement. That represents a ratio of 7.33 homes per turbine. In the proposed Greenwich Windfarm there are 25 industrial wind turbines impacting 906 homes. That represents a ratio of 36.25 homes per turbine. There are 5 times as many homes per turbine, being impacted in Greenwich than in Van Wert. Greenwich's area obviously has a far greater population density. More people will be directly impacted if the OPSB allows this project to continue.

At the minimum, I believe that another ambient sound assessment should be taken and that the new setback requirements be applied to this project. Thank you Kevin Ledet

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Crossing whistle



Kevin Ledet <kaledet1@gmail.com>

4/9/13

to  
TelCSX

My name is Kevin Ledet, and there is a private rail crossing in the township of Greenwich, Ohio; QI 51.43 reference # 918299L leading to my woods. I've owned this property since 1975 and have never had this noise issue before. Within the last month in a half, train traffic began to sound a grade crossing whistle at this crossing. This crossing is used mainly in the fall to get firewood. It is marked on both sides with a stop sign for farm equipment. I can clearly see train traffic from both directions. I worked for the NS railroad and am now retired with 38 years service. I don't understand why the CSX railway would now require this crossing to be treated this way. I'm hoping that you can put me in touch with the authority that made this decision so I could talk with them and resolve this issue between us.

Please contact me, Kevin Ledet

3205 Omega RD

Greenwich OH 44837

417-921-6821

kaledet1@gmail.com



1-877-TellCSX  
TellCSX@csx.com  
[www.csx.com](http://www.csx.com) > Contact Us

April 8, 2013

Mr. Kevin Ledet  
3205 Omega Road  
Greenwich, Ohio 44837

Dear Mr. Ledet:

You recently contacted CSX regarding the sounding of train horns in your area.

We have forwarded your concerns to the appropriate department within CSX and expect to follow up with you shortly.

Under Ohio law, railroads have a requirement to sound locomotive horns when approaching designated private crossings. Should you have questions about the current legal requirements of railroads operating in Ohio, feel free to contact the Public Utilities Commission of Ohio and/or your elected State Representative and Senator.

CSX will continue to comply with Ohio law as has been interpreted for horn requirements at private crossings, even if it is a private road with limited access.

Thank you for contacting us.

Very truly yours,

TellCSX Team

jks

Ref: 393v8843080

443-632-5819 4/12 Matt Sander

*When it's on our rails, it's off the highway.*



## Public Utilities Commission

John R. Kasich, Governor  
Todd A. Snitchler, Chairman

### Commissioners

Steven D. Lesser  
Andre T. Porter  
Lynn Slaby  
M. Beth Trombold

April 19th, 2013

Mr. Kevin Ledet  
3205 Omega Rd.  
Greenwich, Ohio 44837

Mr. Kevin Ledet,

My name is Randall Schumacher and I am the Rail Division Supervisor at the Public Utilities Commission of Ohio. I am writing you in response to your email regarding the sounding of train whistles at the private crossing on your property. I understand the frustration this must be causing but from the way you are describing the situation, it would seem CSX Transportation is in fact complying with the State of Ohio's law regarding the sounding of whistles at private crossings. The specific law being, Ohio Revised Code Chapter 4955.32, included at the end of the letter. I understand your concerns and they will be noted. The Public Utilities Commission of Ohio does not create law rather, that is left to the State of Ohio Legislators. I recommend contacting your state representatives and state senators and informing them of the problem this is creating for you.

If you wish to discuss this issue further please feel free to contact me at the numbers listed below. I am always happy to answer questions. I have also sent this message to your email address listed in your message.

Respectfully,



Randall S. Schumacher  
Supervisor, Rail Division  
Transportation Department  
Public Utilities Commission of Ohio  
Office: (614) 644-1661  
Fax: (614) 995-5535  
PUCO.ohio.gov

Dist 57 State Rep Terry Boose 614-466-9628  
Dist 13 State Senator Gayle Manning 614/644 7613

180 East Broad Street  
Columbus, Ohio 43215-3793

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www.PUCO.ohio.gov

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FILE

**Irwin, Steven**

13-0990-EL-BGN

**From:** Kevin Ledet <kaledet1@gmail.com>  
**Sent:** Thursday, June 12, 2014 4:20 PM  
**To:** PUCO ContactOPSB  
**Subject:** Case 13-0990-EL-BGN  
**Attachments:** turbines.docx

**Categories:** Red Category

Steven, I've attached a document that I would like the members of the Ohio Power Siting Board and the public to see. Also the windpark developer should be informed about the possible effect to there noise baseline. Thank you, Kevin Ledet

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PUCO

*[Handwritten signature]*

JUN 13 1984

June 11, 2014

To Steven Irwin and the voting and non-voting members of the OPSB,

Concerning Case Number 13-0990-EL-BGN

I have grave misgivings concerning the Greenwich Windpark LLC project in Greenwich TWSP, OH. I, by my own ignorance, didn't attend the public meetings held locally. I thought that these wind turbines would be like the other small and often not working turbines I had seen in this area. How mistaken I was. These turbines are gigantic. These will stand 298 feet at the turbine hub, rotor diameter of 383 feet, a little bigger than 1 and 1/4 football fields and a total structural height of 490.5 feet. The physical imprint that 25 of these behemoths make will forever impact the aesthetic and cultural values in this area, people live around here not only cows and chickens. I truly believe that the proponents of these turbines have no concept of their dimensions. Any increase in money coming into the community will certainly be offset by the reduction in property values.

I have a few statements to make about the noise level section of the report.

1<sup>st</sup> on pg. 35, a 2001 New York State Department of Environmental Conservation document is used as a source of data. Are there no newer studies to be quoted and none from the state of Ohio, where the turbines are to be located?

2<sup>nd</sup> Nordex, the maker of the N117 turbine to be used in this PARK, has a web site which gives the specs on the N117. It states that the maximum noise level is 105 decibels for this turbine. I worked for the railroads for 39 years and just before I retired in January 2011 the Federal Railroad Administration (FRA) made the railroads test the air horns on their locomotives. You can go to the FRA web site and obtain the exact tests procedure if you want, but for the sake of time here are the values that are mandated for locomotive air horn volume.

49 CFR 229.129 Locomotive horn. (a) Each lead locomotive shall be equipped with a locomotive horn that produces a minimum sound level of 96 dB(A) and a maximum sound level of 110 dB(A) at 100 feet forward of the locomotive in its direction of travel.

The maximum sound level of the Nordex N117 turbine is 105 decibels, the same range as a locomotive air horn at 100 feet, I'm not an acoustical engineer but 25 locomotive air horns going off in a 4600 acre PARK would be quite noisy. I've heard that people have been told that the noise created by the WINDPARK is like a lawn mower. I've had some pretty bad mowers but nothing that needed hearing protection to use.

3<sup>rd</sup> OPSB board members, on pg. 35 of the Staff Report of Investigation for Greenwich Windpark, it states that "two acoustic surveys of the project area were conducted by the Applicant between June 5 and 17, 2013. Six survey locations were sampled." Based on these surveys day and night baseline background decibel levels were set. The document further states that there was a noise measurement location in the vicinity of an active rail line which made the applicant propose an adjustment to their numbers. If this noise measurement location is on the northern end of their boundary then there is a major problem with their readings. In February 2013 the CSX railroad began to sound the locomotive



whistle at my private crossing into my woods. I have documented Emails between myself, CSX, the PUCO, and phone calls to Representative Boose, Senator Manning, ODOT trying to get the CSX to stop blowing for this crossing. This crossing was never blown at in all the years before. The CSX said they were just following the law. The law concerning private crossing was addressed in the 2 year Ohio state budget signed by Governor Kasich June 30 2013. That change didn't take effect for 90 days after the signing, so the CSX didn't notify their crews until the 1<sup>st</sup> of October to cease their horn usage at this crossing. There are probably 100 trains a day on this line and the noise level has substantially lessened. Therefore if one of the noise measurement areas is on the northern end of the boundary for the windpark then the reading are not valid and cannot be used as a baseline! The last paragraph on pg. 35 is also puzzling. How can adding 3 turbines at 105 decibels apiece to the northern end of the windpark have a net decrease of decibels at the non-participating sensitive receptors, I'm not the brightest crayon in the box but adding noise doesn't make it quieter!

I have one more point to be made. It appears that the blades to be used on this project are quite long, possibly the longest used on a land application. In view of this and the recent changes in the setback requirements in MBR hb 483 for future windpark projects I believe that the setbacks in this Greenwich windpark project should be held to the new and safer standards.

The wind turbine business has never been cost effective. For years they received PTC (production tax credit) from the US tax payers. This form of corporate welfare was stopped by the Federal government on 12/31/2013, but there is probably some lobbying going on to restore it, so get in touch with your legislatures to keep it buried. Even with the PTC, the cost per kilowatt is higher than other generating forms and often these producers have a hard time selling the power. The state government often enables these producers by establishing arbitrary alternative energy power generating requirements. This does nothing but create a false demand for this unreliable product. No wind, no power, no way! If this industry cannot walk by itself after more than 2 decades than let it fall.

Kevin Ledet

3205 Omega RD  
Greenwich, OH. 44837