



ALLIANCE *for* RESPONSIBLE SITING
of ALTERNATIVE ENERGY INSTALLATIONS

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HAND DELIVERED

Joint Committee on Public Health

Re: Scituate Industrial Wind Turbine

The Alliance for Responsible Siting of Alternative Energy Installations support all forms of alternative energy as it represents an important component of the overall energy mix in this country and makes a positive contribution toward our energy security, energy supply, air quality and climate change. However, to inappropriately site these industrial wind turbines in close proximity to residential neighborhoods is dangerous and irresponsible.

In attempting to protect the health and safety of our families, neighbors, children and seniors, the Alliance for Responsible Siting of Alternative Energy Installations continues to provide accurate information and perspective on the issue of wind turbine noise, its impact on health and safety, and why traditional sound monitoring techniques are not appropriate to accurately analyze noise emanating from industrial wind turbines. People need to better understand the health impacts of the strobe effect from industrial wind turbines. And individuals need to understand that there is a direct correlation between industrial wind turbine noise and shadow flicker, and sleep deprivation and its impacts on human health.

How did we get here? We have fallen victim to legislation that provides as-of-right siting in designated locations for alternative energy generation facilities that allows communities to adopt expedited application and permit processes for as-of-right alternative energy facilities. An alternative energy development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval and these installations cannot be prohibited, regardless of proximity to residential areas, or the impacts on citizen's health and safety. So hypothetically, a 400 foot tall, industrial wind turbine can be sited within 650 feet of a residential home, which is outrageous. But that is exactly what has happened in the Town of Scituate, Massachusetts.

And as was the case here in Scituate, this legislation allows wind developers and their engineering supporters to proceed with these developments using modeling that grossly understates the levels of noise and strobe light generated by these industrial wind turbines. In fact, working closely with the Neighbors of the Scituate Industrial Wind Turbine, we believe that the Town of Scituate has a legitimate argument that the Special Permit has been breached, due to the misrepresented

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modeling utilized during permitting versus the actual noise and strobe effect being experienced by residents of this Town.

Since the summer of 2012, residents in our community have documented the negative noise and health impacts experienced since the commissioning of the industrial wind turbine and consistently submitted this evidence to the Scituate Board of Health.

In October 2012, a group of impacted neighbors of the Scituate industrial wind turbine asked for the industrial wind turbine to be shut down by the Scituate Board of Health by the middle of November, in recognition of the documented negative health related impacts to residents of the Town of Scituate since the industrial wind turbine became operational.

On November 14, 2012, the Scituate Board of Health, in lieu of making a decision to protect the health and safety of the residents that, by statute, it is obligated to protect, instead resolved to create a steering committee to develop a scope of work for a study to presumably analyze and better understand the issue.

In response to this resolution, and in consideration of the fact that the Board of Health is empowered by the Town of Scituate Charter and the Commonwealth of Massachusetts General Laws to review and take direct action on any issues of public health, the impacted neighbours of the Scituate industrial wind turbine argued during the steering committee process that this study should be a complete acoustical, strobe effect and health impact analysis that accurately reflects the noise and strobe effect intensity experienced by members of this community and its impacts on community health and safety.

Unfortunately, on January 28, 2013, the Scituate Board of Health took a different path focused not on issues of health and safety, but on allowing the Scituate industrial wind turbine operator to draft and design its own RFP to attempt to prove compliance with Massachusetts Department of Environmental noise guidelines; an absolutely astonishing decision. In lieu of protecting the health and safety of the residents that it is mandated to protect, the Scituate Board of Health has consistently chosen to protect the wind developer and their financial partners, and continues to do so today.

The impacted neighbors of the Scituate industrial wind turbine have directed numerous pieces of correspondence to the Scituate Board of Selectmen, the Scituate Board of Health and other Town Officials requesting answers to a number of outstanding issues. However, these officials continue to refuse to address questions raised in various pieces of correspondence regarding the Scituate industrial wind turbine, until such time as “the noise study is completed”. With no pressure placed on the wind developer by the Town or Board of Health to conduct, let alone complete, a wind study since its approval March of this year, and with the recent lightning storm and resulting, indefinite inability to operate the Scituate Industrial Wind Turbine, impacted neighbors continue to have concerns specific to the health and safety of our families, friends and neighbors, including our children and senior citizens.

Update - Wind Study Dialogue between the Community and Scituate Wind LLC:

Since its approval in March 2013, the noise compliance testing of Scituate Wind LLC has not commenced. The Scituate community adversely affected by the operation of the industrial wind turbine has attempted to stay in close contact with Palmer Capital, its acoustical consultant Tech Environmental and members of the Scituate Board of Health to encourage a testing date and reasonable notice of same, to provide the neighbors' consultant, E-Coustics, with sufficient time to mobilize and test simultaneously with Tech Environmental.

On or about May 28th we were advised that Tech Environmental was considering Thursday night / Friday morning (May 30th and 31st) for testing. However, on the morning of May 30th we were advised that this test schedule was scrubbed because the forecast had been changed to light southwest winds of less than seven miles per hour. We were surprised at this last minute change because our own experiences, documented and presented as evidence to the Scituate Board of Health, has consistently demonstrated that these would have been optimal conditions for acoustical testing for elevated disturbances of industrial wind turbine noise output. We asked for E-Coustics opinion and here is what we believe to be true.

Many of us in the neighborhood have found that the most disruptive evenings are when there is almost a dead calm outside our windows, but the turbine still turns and we hear it distinctly while we are attempting to sleep. In fact, I am aware of a number of folks who had a very disruptive night on May 30th with these exact conditions, some of whom have already written to Mr. Deane of Palmer Capital and Scituate Board of Health Director, Jennifer Sullivan, to advise accordingly. These nighttime conditions are defined as temperature inversion, otherwise known as a stable atmosphere. The temperature inversion boundary layer disconnects the upper level winds from the surface level winds resulting in calm or very low winds at the surface and high winds at the hub (the reason the blades can still spin). From our documented experiences over the past 16 months, this would appear to be the optimum test conditions for the sort of acoustical test to be conducted by Tech Environmental and E-Coustics to determine whether or not the Scituate industrial wind turbine was in compliance.

Neighbors in this community have been very transparent in describing and documenting the conditions, which have caused them noise and strobe related problems. Tech Environmental was clearly able to predict wind speeds of seven miles per hour with winds coming from the south west, which we can now confirm, based on our experience on those evenings, were optimum acoustical testing conditions to capture elevated noise output and perhaps demonstrate that the Scituate industrial wind turbine does not comply with MassDEP noise guidelines. Yet certain stakeholders would make it appear that predicting 'optimum' test conditions is a difficult procedure and have made no effort to organize a subsequent test date, certainly not between May 31st and June 24th when the turbine was struck by lightning and rendered useless.

The events of and after the evening of June 24th are also quite interesting. Despite earlier denials by the wind developer and supporters, what we now know is that the turbine was struck by

lightning at approximately 9:00 p.m. on June 24th and it has been inoperable ever since. In fact, one can see on Powerdash that this industrial wind turbine is consuming power, not producing power ever since. We wonder if there has been significant damage to the interior workings of the turbine, which may make it difficult to repair. We wonder if the already weak financial position of Lumus Construction and probably its subsidiaries makes their ability to finance these repairs difficult. We also wonder if Force Majeure allows insurance companies to avoid financially supporting this repair and we are concerned that turbine manufacturer's (Sinovel) weakened financial position and the fact that they are closing all of their North American offices puts this community in a position of significant disadvantage both financially and from the perspective of community health and safety.

As residents and taxpayers of the Town of Scituate, we have respectfully requested full transparency from Town officials, including the Scituate Board of Selectmen and The Scituate Board of Health, which has been met with a consistent refusal to address the specific areas of concern. We are entitled to the full answers to these very well considered questions and concerns.

On July 8, 2013, and in a continuing effort to protect the health and safety of families, neighbors and friends, we formally requested formal standing on the agenda for a July 2013 Board of Selectmen meeting to discuss the execution plan around the timely dismantling of the Scituate Industrial Wind Turbine.

This is the Scituate case study, indicative of the health and safety issues being experienced by communities along the South Coast, throughout the Commonwealth of Massachusetts and sadly throughout the Nation, resulting from industrial wind turbines inappropriately sited in close proximity to residential areas.

Regards,



T.S. (Tom) Thompson
Executive Director