

# Heritage Wind Project Noise Complaint Resolution Plan

Case No. 16-F-0546  
December 4, 2019

## Introduction

Heritage Wind, LLC (“Heritage Wind”) plans to construct, operate and maintain its Heritage Wind Project (the “Project”) located in Orleans County, New York, in a manner that is consistent with applicable laws and regulations and responsible community engagement. Heritage Wind recognizes noise impacts during construction and operation of a wind farm could be perceived by community members as unwelcome.

Wind takes complaints that it receives from members of the public very seriously. This Complaint Resolution Plan has been developed to establish a process for responding to complaints regarding the construction and operation of the Project in a timely and consistent manner.

## Construction-Related Complaints<sup>1</sup>

### Noise

- If the noise complaint location is more than one mile from active construction activity, the complaint will be logged, but no action will be taken. An example Complaint Log Sheet is found in Exhibit A.
- If the noise complaint is less than one mile from active construction activity, the following steps will be taken:

Step 1: The complaint will be logged. An example Complaint Log Sheet is found in Exhibit A.

Step 2: A representative from the construction firm will visit the site of the complaint during construction activity to listen and observe.

Step 3: The representative will determine if any unusually loud or unusually distributing noises can be heard (i.e. sounds not typical of a construction site).

Step 4: Construction personnel will try to determine if any equipment is not functioning properly and thus creating unusual sound, or if there are other circumstances underlying the complaint (time, location, etc.) which could be addressed by the Applicant. If so, this equipment will be repaired or replaced as soon as practical, provided the repair or replacement does not cause undue delay to the construction schedule.

## Operation-Related Complaints

### Noise

- If the complaint represents a residence within one mile of any wind turbine,<sup>2</sup> Heritage Wind will:

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<sup>1</sup> Construction-related complaints cover both complaints during construction activities, including tree clearing, and decommissioning of the Project.

<sup>2</sup> Complaints representing residences more than one mile from the nearest wind turbine will not be investigated as noise generated from wind turbines does not substantially impact ambient sound levels at that distance.

- Log the complaint. An example Complaint Log Sheet is found in Exhibit A.
  - Investigate whether equipment near the complainant was operating on the date, and at the time and location identified;
  - Determine if the sound is related to Project maintenance or abnormal operational conditions;
  - Determine if there is a reasonable possibility that the sound level induced by the Project is likely to be within 5 dBA of any applicable short-term sound limit specified in the Certificate at the complainant's location; and
  - Review pre-construction sound modeling to determine whether the sound level at the complaint location is within 5 dBA from the level determined by the Order Granting Certificate of Environmental Compatibility and Public Need, with Conditions issued by the Siting Board
- Heritage Wind will conduct additional sound monitoring if:
    - The complaint location is further than 0.5 miles from any post-construction sound compliance monitoring locations; or
    - The complaint location is closer than 0.5 miles of a previously tested monitoring location and the modeled sound levels are higher, or expected to be higher, than the position(s) previously evaluated; or
    - If there is a reasonable possibility that conditions have changed that affect wind turbine sound levels; or
    - The last sound monitoring was conducted more than three years ago.
  - Heritage Wind will not conduct sound monitoring if:
    - The modeled sound level is more than 5 dBA lower than any applicable short-term sound limit specified in the Certificate; or
    - The complaint has occurred because of Project maintenance or abnormal operational conditions. In this case, Heritage Wind will complete necessary repairs.

Heritage Wind will not, because of additional complaints, repeat sound monitoring in a representative area during any three-year period following the first monitoring for that receptor, unless changes in system operation or turbine maintenance can be reasonably assumed to have resulted in higher turbine sound levels. Sound monitoring in response to complaints will be addressed as part of the relevant and applicable portions of the Sound Testing Compliance Protocol.

Heritage Wind may request that a complainant maintain a written log of potentially offending sound events over some reasonable period to assist in identifying influences that may affect the sound from the turbines. If the identified factors demonstrate that follow-up sound monitoring is warranted, Heritage Wind will make reasonable efforts to conduct such monitoring under

conditions like those existing at the time the complaint arose. Heritage Wind may have access to a sound level meter within 24 hours of request. This meter may be used to perform “spot checks” of sound levels at the area of complaint.

Heritage Wind will inform a resident when it intends to conduct any exterior sound monitoring and cooperate with the resident to determine an appropriate location for the monitoring equipment. If Heritage Wind determines that a sound complaint is not valid for two separate instances at the same location in the last three years, then any future complaint, beyond the first two, will require that the complainant pay the cost of any sound testing.

Reporting of complaints to DPS Staff and the Town generally will be conducted in the same manner outlined in the final Complaint Resolution Plan adopted for this Project. Where additional noise monitoring is performed, Heritage Wind will report the monitoring results in accordance with the applicable Certificate Condition(s).

## EXHIBIT A. Complaint Log Sheet

# Complaint Log Sheet

After completing this form, immediately email a copy to the Site Manager, Operations Manager, and EHS Specialist

Personnel Receiving the Complaint:	
Method of Receiving Complaint (circle one): Phone Email Mail Other (describe)	
Date Complaint Received (MM/DD/YY):	(circle) Mon. Tue. Wed. Thur. Fri. Sat. Sun.
Time Complaint Received:	

## Complaint Information

Name of Complainant:
Address of Complainant:
Phone Number of Complainant:
Date/Time of Bothersome Activity:
Construction or Operation Complaint? (circle one)
Complaint (describe in detail):

## Noise Complaint Supplement – As applicable, provide the information below for noise-related complaints.

Construction Equipment Activity During the Time of the Complaint (if applicable):
Closest wind turbine to complainant:
Approximate power output of this wind turbine (kW):

## Resolution and Follow-up

Definition of problem after investigation by Project personnel:
Description of corrective measures taken:
Date corrective measure(s) completed:
Date first letter sent to complainant: (copy attached)
Date second letter sent to complainant: (copy attached)
Follow-up actions if correctives measure(s) unsuccessful or unavailable:

This information is certified to be correct: \_\_\_\_\_  
(Attach additional pages and supporting documentation, as required.)