



**REQUEST FOR AMENDMENTS AND VARIANCES**  
**NOTICE OF COMPLIANCE WITH SPECIAL CONDITIONS**

**INDUSTRIAL SITING DIVISION**  
**DOCKET NO. DEQ/ISD 10-02**

**JULY 21, 2015**



**PIONEER WIND PARK I, LLC  
PIONEER WIND PARK II, LLC  
Docket No. DEQ/ISC 10-02**

REQUEST FOR AMENDMENTS AND VARIANCES	1
SUPPLEMENTAL NOTICE OF COMPLIANCE WITH SPECIAL CONDITIONS NOS. 16, 17 AND 21	2
SUPPLEMENTAL AFFIDAVIT OF CHRISTINE MIKELL DEMONSTRATING COMPLIANCE WITH SPECIAL CONDITIONS NOS. 16, 17, AND 21	3
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July 21, 2015

Luke Esch, Administrator  
Industrial Siting Division  
Herschler Building 4 West  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

RE: Request for Amendments and Variances  
Pioneer Wind Park I and Pioneer Wind Park II  
Industrial Siting Council Docket DEQ/ISC 10-02

Dear Mr. Esch:

By this letter, Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC (collectively referred to as “PWP I & II”), respectfully request the following amendments and variances, as set forth in detail below, for their Industrial Siting Permit as amended (“Permit”).

I. Amendment to Consolidate Certain Project Facilities.

Pursuant to Permit Condition #11, PWP I & II request an amendment to their Permit in order to consolidate certain facilities of the Pioneer Wind Park I Project and Pioneer Wind Park II Project (collectively referred to as “Projects”). The Permit currently allows for the facility layout as shown on the attached *Exhibit A*. The consolidation of certain facilities to the West side of Mormon Canyon Road is depicted on the attached *Exhibit B*.

Good cause exists for this amendment because the consolidation of certain facilities reduces the overall impact of the Projects. This reduced impact includes but is not limited to less land required for construction, less overhead transmission line, and the movement of the project substation further from nonparticipating landowners.

This requested amendment is in compliance with local ordinances and applicable land use plans and will not significantly add to adverse environmental, social and economic impact in the impacted area.

## II. Variances for Facility Decommissioning Requirements.

The Rules and Regulations of the Industrial Siting Council (“Rules and Regulations”) and the Permit impose certain facility decommissioning requirements. Section 9(a)(i) of the Rules and Regulations reads:

### Section 9. Additional Application Requirements for Wind Energy Facilities.

(a) Facility Decommissioning. The applicant shall provide a facility decommissioning plan.

(i) The facility decommissioning plan shall include provisions regarding the removal and proper disposal of all wind turbines, towers, substations, buildings, cabling, electrical components, foundations to a depth of forty-eight (48) inches, and any other associated or ancillary equipment or structures within the facility boundary above and below ground.

Section 9(f) of the Rules and Regulations permits variances to be granted by the Industrial Siting Council as to Section 9 requirements.

Pursuant to Section 9(f) of the Rules and Regulations, PWP I & II respectfully request two variances from the Section 9(a)(i) decommissioning requirements set forth above. First, PWP I & II request a variance to leave any underground cabling in place. Second, PWP I & II request a variance to remove all underground components to depth of 36 inches; except the turbine pedestals shall be removed to a depth of 54 inches.<sup>1</sup>

The facilities of the Projects are located on lands owned by several landowners. PWP I & II have entered into Wind Lease Agreements with these landowners. The Lease Agreements with our landowners specifically allow for the 36-inch removal depth of all below-ground components. PWP I & II request these variances based upon discussions with these landowners, their approval and the Wind Lease Agreements in effect.

With respect to the underground cabling, our landowners state that the process of removing this cable, decades after its installation, would cause more damage to their land than if the cables were to be left in place. Our landowners feel that the vehicle traffic and trenching required to remove the cabling and the damage it will cause is simply unnecessary. The underground cabling will not interfere with the uses of their land, which is predominantly ranching operations.

Specific to the removal of foundations laid for surface improvements, our landowners feel as well that removal to a depth of 48 inches is unnecessary. This is for the same reason as

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<sup>1</sup> The turbine pedestals are a portion of the turbine foundations. Concrete demolition will be completed on the top 54-inches of the pedestal. All other underground components will be excavated and removed to a depth of 36 inches. The other underground components include the anchor bolts, rebar, conduits, cables and concrete.

the cabling: that the removal of an additional one foot of a foundation will require unnecessary vehicular and heavy equipment work, for no benefit.

PWP I & II anticipate that you will shortly receive letters from our affected landowners, True Ranches, Rick Grant and Marilyn Nida-Howery, who are in support of these variance requests.

### III. Amendment to Condition #15 to Reduce the Amount of the Reclamation Security.

Condition #15 of the Permit states in pertinent part that “[b]efore the start of construction Permittee shall provide a surety bond or similar security acceptable to the Administrator in the amount of \$18,767,000.00 for decommissioning and reclamation as called for by W.S. 35-12-109(a)(xx) and the Rules of the Council.” The amount for the required security was based on testimony and evidence at the original hearing on the Permit in 2011.

Pursuant to Permit Condition #11, PWP I & II request an amendment to their Permit to reduce the amount of the required security. Good cause exists for this amendment as the total reclamation cost has been reduced due to prior amendments of the Permit, including the reduction in the number of turbines granted by the ISC on June 24, 2013,<sup>2</sup> and the proposed amendments and variances requested above.

Section 9(e) of the Rules and Regulations require that in setting the amount of the decommissioning and reclamation of a project, a certified cost estimate, performed by a licensed professional engineer, must be submitted to support the amount of the required security.

PWP I & II engaged Daryl E. Layne, a licensed Wyoming professional engineer of Stantec Consulting Services, Inc. to prepare a cost estimation for decommissioning and site reclamation of the Projects. PWP I & II attach hereto and incorporate herein the Project Decommissioning Plan for Pioneer Wind Park (“Plan”) as *Exhibit C*. Section 3.0 of the Plan sets out the expenses for decommissioning. The total estimated cost to decommission and reclaim the Project calculated by Mr. Layne is \$9,792,000.00.

Accordingly, PWP I & II respectfully request the amount of the required security be reduced from the amount of \$18,767,000.00 to \$9,792,000.00.

This requested amendment is in compliance with local ordinances and applicable land use plans and will not significantly add to adverse environmental, social and economic impact in the impacted area.

Pioneer Wind Park I and Pioneer Wind Park II continue to comply with the permit conditions in all other substantive regards, and continue to comply with all applicable law.

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<sup>2</sup> PWP I & II requested a reduction in the number of turbines from 62 to 46 to further mitigate site influence, and the request was granted.

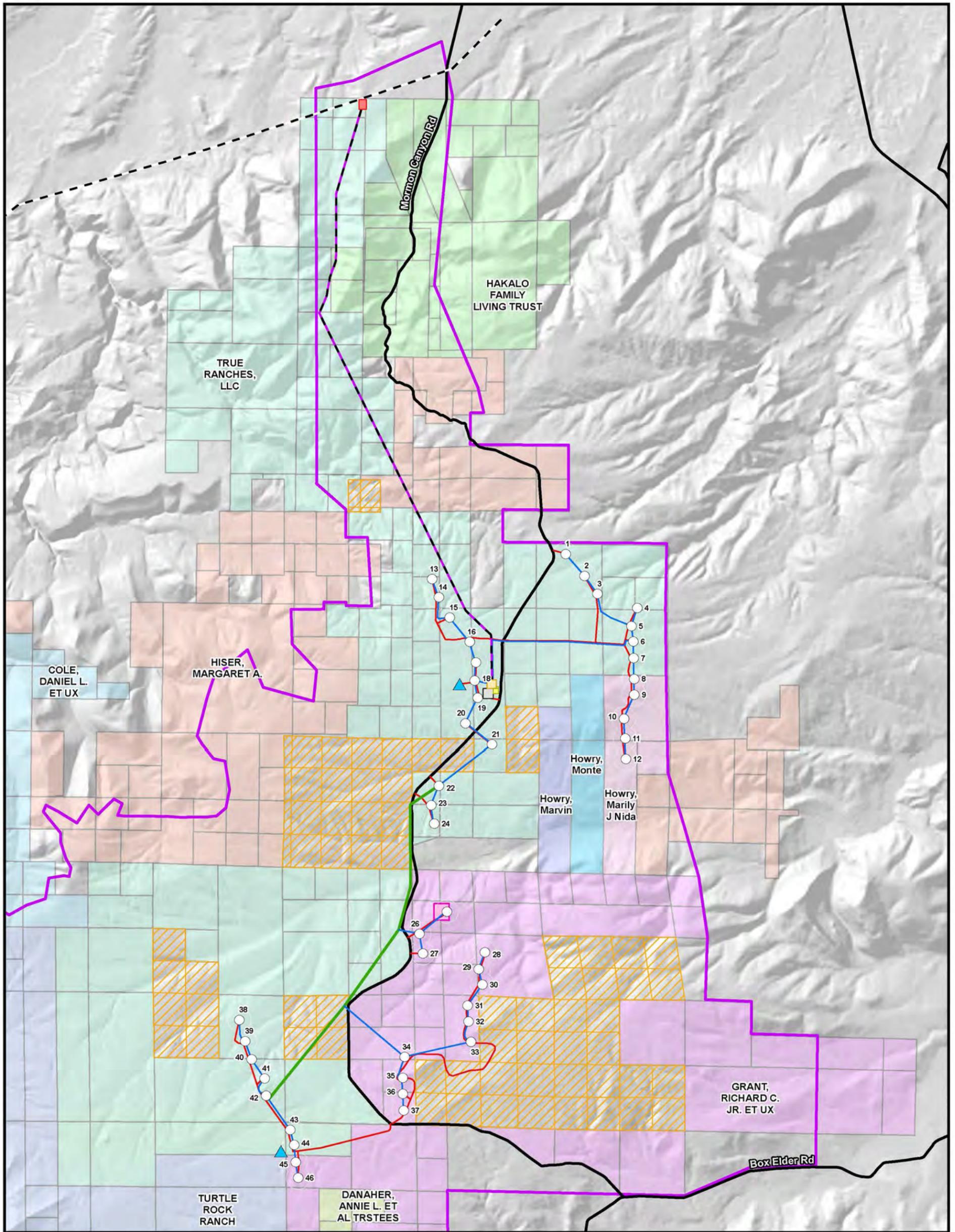
PWP I & II request the proposed amendments and variances be heard in accordance with Wyoming Statute § 35-12-106(c) at the next meeting of the Industrial Siting Council scheduled for August 31, 2015.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christine Mikell".

Christine Mikell

Enclosures



<p><b>PIONEER</b></p> <p><b>Project Facilities Current Layout</b></p> <p>Converse County, WY June 10, 2015</p>	<p><b>1:45,000 NAD83 UTM 13</b></p>																																
	<table border="0"> <tr> <td>○ Turbine</td> <td>▭ Gravel Pit</td> <td>Leased Parcels</td> <td>▭ Howry, Marily J Nida</td> </tr> <tr> <td>○ Turbine (475ft Buffer)</td> <td>▨ State Land</td> <td>▭ COLE, DANIEL L. ET UX</td> <td>▭ Howry, Marvin</td> </tr> <tr> <td>▲ Met Tower</td> <td>--- Existing Transmission</td> <td>▭ DANAHER, ANNIE L. ET AL TRSTEEES</td> <td>▭ Howry, Monte</td> </tr> <tr> <td>▭ Project Boundary</td> <td>— Interconnection Line</td> <td>▭ GRANT, RICHARD C. JR. ET UX</td> <td>▭ TRUE RANCHES, LLC</td> </tr> <tr> <td>▭ O&amp;M Building</td> <td>— Overhead Collection Line</td> <td>▭ HAKALO FAMILY LIVING TRUST</td> <td>▭ TURTLE ROCK RANCH</td> </tr> <tr> <td>▭ Substation</td> <td>— Underground Collection Line</td> <td>▭ HISER, MARGARET A.</td> <td></td> </tr> <tr> <td>▭ Point of Interconnect</td> <td>— Project Access Road</td> <td></td> <td></td> </tr> <tr> <td>▭ Batch Plant</td> <td>— Local Road</td> <td></td> <td></td> </tr> </table>		○ Turbine	▭ Gravel Pit	Leased Parcels	▭ Howry, Marily J Nida	○ Turbine (475ft Buffer)	▨ State Land	▭ COLE, DANIEL L. ET UX	▭ Howry, Marvin	▲ Met Tower	--- Existing Transmission	▭ DANAHER, ANNIE L. ET AL TRSTEEES	▭ Howry, Monte	▭ Project Boundary	— Interconnection Line	▭ GRANT, RICHARD C. JR. ET UX	▭ TRUE RANCHES, LLC	▭ O&M Building	— Overhead Collection Line	▭ HAKALO FAMILY LIVING TRUST	▭ TURTLE ROCK RANCH	▭ Substation	— Underground Collection Line	▭ HISER, MARGARET A.		▭ Point of Interconnect	— Project Access Road			▭ Batch Plant	— Local Road	
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**Pioneer Wind Park  
Project Decommissioning Plan**



**Prepared for:**  
**Pioneer Wind Park I, LLC**  
**Pioneer Wind Park II, LLC**  
**Converse County, Wyoming**

**Prepared by:**  
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**CONFIDENTIAL  
BUSINESS INFORMATION**

July 8, 2015  
Project 2000 078701 NCR

**PIONEER WIND PARK  
PROJECT DECOMMISSIONING PLAN**

**Sign-off Sheet**

This document was prepared at the request of Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC to show the cost of the Decommissioning Plan of the Permit issued by the Wyoming Industrial Siting Council, as amended. The Permit was issued under the authority of the Wyoming Industrial Siting Act, rules and regulations.

This document entitled Pioneer Wind Park Project Decommissioning Plan was prepared by Stantec Consulting Services Inc. ("Stantec") for the account of Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC (the "Client"). The material in it reflects Stantec's professional judgment in light of the scope, schedule, and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in the document are based on conditions and information existing at the time the document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others.

<b>Prepared by:</b>	<i>Daryl Layne</i>
	(signature)
<b>Name / Title</b>	Daryl Layne, PE, Electrical Engineering Manager
<b>Reviewed by:</b>	<i>Nabil Farah</i>
	(signature)
<b>Name / Title</b>	Nabil Farah, Senior Principal

<p style="text-align: center;">Daryl Layne <i>Daryl Layne</i></p> <p style="text-align: center;">Name of Registered Professional Engineer</p> <hr/> <p style="text-align: center;">Signature of Registered Professional Engineer</p> <p>Date: July 8, 2015</p>	
<p>Registration No.: 14129</p>	<p>State: Wyoming</p>

**PIONEER WIND PARK  
PROJECT DECOMMISSIONING PLAN**

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# PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN

## 1.0 General Information/Preliminary Analysis

### 1.1 OVERVIEW

Pioneer Wind Park (the "Project") owned by Pioneer Wind Park I, LLC (Owner) and Pioneer Wind Park II, LLC, is a wind powered electric generating facility with a maximum net output of 80 MW located near Glenrock, Wyoming (the "Project Site").

The Project will consist of 46 GE 1.85 MW Wind Turbine Generators with a hub height of 80-meters with a 87-meter rotor diameter supplied by General Electric (the "Turbine"). The Project includes met towers, foundations, and civil infrastructure (access and Turbine string roads, all necessary grading, crane pads, crane paths, Turbine laydown area, laydown and construction office area), one electric collection system, one project substation with approximately 6-miles of 230 kV transmission line to the Point of Interconnection (POI) substation, and a 230 kV interconnection switching station to be built to PacifiCorp requirements. The project is located in Converse County, Wyoming.

#### 1.1.1 Project Substation

At the Project substation (34.5/230 kV Substation) a total of 46 turbines, combined by four (4) feeders, are connected to one (1) 60/80/100 MVA 230/34.5 kV transformer (wye-grounded/wye-grounded) with buried (delta) tertiary. In addition, the Project substation consists of one (1) 230 kV outdoor type circuit breaker, four (4) 34.5 kV EMA grounding feeder breakers, as well as one (1) 34.5 kV breaker for connection of four (4) [size TBD] MVAR capacitor banks. Protective relaying includes primary and back-up line and transformer differential protection, 34.5 kV bus differential protection and overcurrent protection for the feeder circuits and capacitor banks.

#### 1.1.2 34.5 kV Collector System

The 34.5 kV collector system consists of four (4) feeders terminated at one (1) 230/34.5 kV transformer at the Project substation. The cable utilized for the collection system layout is rated 35 kV, 230 mils of insulation, tree retardant cross-linked polyethylene (TRXLPE) insulation type, and aluminum conductor with copper concentric neutrals. Cable sizes utilized throughout the collection system include 1250 kcmil, 1000 kcmil, 500 kcmil, #4/0 AWG aluminum and #1/0 AWG aluminum.

The cable system includes approximately 80,000-trench feet of cable. The cables are buried at a minimum depth of 4-feet in a trefail configuration.

The GE tower grounding system consists of a ring around the perimeter around the outside of the turbine foundation and padmounted transformer, each consisting of #4/0 AWG stranded bare copper conductor. The grounding system is designed to limit the resistance to remote earth to 10 ohms as well as supply adequate step-and-touch potentials for safety of personnel.

# **PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN**

The GE padmount transformers are rated 34.5-0.69 kV (delta/wye-grounded), 2.10 MVA.

## **1.1.3 230 kV Transmission Line**

The Project includes approximately 6-miles of 230 kV transmission line that connects the Project substation to the new Switching Station.

This Decommissioning Plan report provides a description of the decommissioning and restoration phase of the Project, including a list of the primary wind farm components, dismantling and removal activities and disposed of or recycled materials. A summary of estimated costs and revenues associated with the decommissioning phase is included.

## **1.2 WIND FARM COMPONENTS**

The main components of the Project include:

- Turbines (tower, nacelle, hub and three rotors per Turbine)
- Turbine foundations
- Step-up transformers
- Access roads
- Crane pads
- Underground electrical collection system
- Collector Substation

## **1.3 EXPECTED LIFETIME**

If properly maintained, the expected lifetime of the GE utility-scale wind Turbine is approximately 20-years (GE, 2013).

Depending on market conditions and Project viability, the Turbines may be re-fitted with updated components, such as nacelles, towers, and/or blades to extend the life of the Project.

At the end of the Project, the Turbines will be decommissioned and removed from the site. Turbine components that have resale value may be sold in the wholesale market. Components with no wholesale value will be salvaged and sold as scrap for recycling or disposed of at an offsite landfill. Decommissioning activities will include removal of the Turbines and associated components as listed in Section 1.1 and described in Section 2.

## **1.4 DECOMMISSIONING SCHEDULE**

Decommissioning activities are anticipated to be completed in a 6- to 12-month timeframe. Monitoring and site restoration may extend beyond this time period to ensure successful revegetation and rehabilitation. The anticipated sequence of decommissioning and removal is described herein, however, overlap of activities is expected.

- Reinforce roads and prepare site.

## **PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN**

- De-energize Turbines and “make safe”.
- Dismantle and remove rotors and Turbines.
- Remove towers and internal components.
- Remove step-up transformers (GE only).
- Remove collection system less than 36-inches below the surface.
- Partially remove Turbine foundations and backfill sites up to 48-inches below the surface.
- Remove crane pads and grade Turbine sites.
- Remove access roads (unless retained at discretion of host Landowner).
- Restoration and revegetation of disturbed land.
- Removal of substations and joint use switching station.
- Removal of transmission line.

## **2.0 Decommissioning Components and Activities**

The wind farm components and decommissioning activities necessary to restore the Project Site, as near as practicable, to pre-construction conditions are described within this section. Estimated quantities of materials to be removed and salvaged or disposed of are included. Public roads damaged during the decommissioning and reclamation process shall be repaired upon completion of the Project.

### **2.1 WIND FARM SYSTEM OVERVIEW**

The Project will use up to 46 GE 1.85 MW 1.85-87 Wind Turbine Generators. The decommissioning estimates provided in this report assume that 46 Turbines are erected and powered, and are subsequently decommissioned.

**Table 1 Primary Components of Wind Farm**

<b>Component</b>	<b>Quantity/Make</b>	<b>Unit of Measure</b>
Turbines (including 1 tower, 1 nacelle, 1 hub & 3 rotors, per turbine)	46-GE (rotors)	each
Turbine Foundations	46	each
Electrical Collection System Cable	190,000	lineal ft. (estim.)
Crane Pads (2-recycled & moved, as needed for disassembly)	4,000	sq. ft. (estim.)
Access Roads	80,000	lineal ft. (estim.)

### **2.2 WIND TURBINE GENERATORS**

The 46-GE 1.85 MW 1.85-87 are primarily comprised of a modular steel tower, nacelle and three rotors attached to a hub. The hub height of the Project Turbine is 80-meters with a 87-meter rotor diameter.

Turbine components in working condition may be refurbished and sold in a secondary market yielding greater revenue than selling as salvage material. For the purposes of this report, estimates will be based on the salvage value, as this will be the most conservative estimate of revenue.

#### **2.2.1 Turbine Tower**

The turbine towers are painted modular monopole steel structures approximately 80-meters long. Each tower contains approximately 112-tons of salvageable steel.

#### **2.2.2 Nacelle**

The nacelle sits at the top of the turbine tower and has an overall weight of approximately 20-tons. The nacelle is comprised of salvageable steel and other materials. Non-salvageable material within the nacelle will be disposed of in an off-site landfill.

## **PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN**

### **2.2.3 Hub and Rotors**

The rotor hub and bed plate have a total weight of approximately 10-tons. They are mainly comprised of steel that will be salvaged along with the tower and nacelle. The rotors are constructed of non-metallic materials such as fiberglass, carbon fibers, and epoxies. These materials will likely have no salvage value and thus will be properly disposed of in landfills.

### **2.2.4 Other Turbine Components**

In addition to the main components previously described, each Turbine contains other items such as anchor bolts and internal electrical wiring that will have additional salvage value. The down-tower cabling contains copper which will be 100% salvageable.

### **2.2.5 Decommissioning Activity**

The Turbines will be deactivated from the surrounding electrical system and made safe for disassembly. Improvements to access roads and crane pads will be completed to allow crane access to Turbines for removal of components.

Liquid wastes will be removed and properly disposed of according to regulations current at the time of decommissioning.

Control cabinets, electronic components, and internal electrical wiring will be removed.

The hub and rotors will be lowered to the ground as a unit for disassembly.

The nacelle and Turbine sections will be disassembled and removed in the reverse order of assembly.

## **2.3 STEP-UP TRANSFORMERS**

The GE Turbine step-up transformers generally sit on small concrete footings at the base of each Turbine, occupying an approximate 6-foot cubed space. The electrical transformer is housed in a protective structure. After deactivation, oil will be drained and disposed of at an approved waste management facility. The transformer will then be disassembled and removed.

Depending on condition, the transformers may be sold for refurbishment and re-use. If not re-used, salvagers will pick up the transformer from the site for a fee.

## **2.4 WIND TURBINE FOUNDATIONS**

The octagonal spread foot foundations utilized for the Project Turbines are predominantly located underground. The foundation design consists of a solid, reinforced circular concrete pedestal, approximately 4.5-feet high and 17-feet in diameter. Below the pedestal is the foundation base, an octagonal-shaped concrete structure approximately 54-feet across and 8.5-feet deep. The entire foundation sits on supporting sub-grade approximately 12-feet below the ground surface. A typical spread foot foundation design is shown in Figure 3.

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## **PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN**

Concrete demolition will be completed on the top 54-inches of the pedestal. As required by the wind lease agreements in place with all the Landowners, the above ground components and all components to a depth of 36-inches will be excavated and removed. This will include the anchor bolts, rebar, conduits, cables, and concrete to the required depth.

The site will be back-filled and graded and the land contours restored as near as practicable to preconstruction conditions. Excavated materials will be hauled off-site, as required by the lease agreement between Owner and the host Landowners. The cost estimate for the excavation and removal of Turbine foundations is based on the previously described design parameters and no resale or salvage value. In practicality, there will likely be a salvage value to the materials extracted.

### **2.5 COLLECTION SYSTEM**

The Project's electrical collection system will be located in cable trenches buried at a depth of 3- to 5-feet below the ground surface. The system voltage is 34.5 kV and will run from the individual Turbine to the Project's substation. At road crossings, the cables will be placed in conduits positioned at a minimum of 4-feet below the surface. The estimated length of the Project collection system cable is 190,000 linear feet.

Due to the depth of the Project collection system below the ground surface, the cables will not interfere with farming activities. Cable removal is not required at decommissioning to restore the wind farm site to its former use. Cables will be completely deactivated and abandoned in place. Minimal decommissioning costs are associated with the collection system and are included in the Turbine decommissioning estimate.

### **2.6 CRANE PADS**

Crane pads are located at the base of each turbine to support the large cranes necessary for assembly and disassembly of the turbines. Pads are approximately 40-feet by 60-feet and consist of compacted native soils and approximately 1-foot of base fill. After decommissioning activities are completed the crane pad aggregate will be removed and the areas filled as necessary. Crane pads will be recycled from Turbine to Turbine so only several will be required. Land will be graded and pre-construction contours restored to the extent practicable.

Restoration will likely be performed in conjunction with the turbine foundation and/or access road restoration. Labor of trucking and equipment is the primary expense for the crane pad removal. The costs associated with this activity are summarized in Section 3.

### **2.7 ACCESS ROADS**

Access roads are located at each turbine providing access from public roads to the turbine site. The final access roads are approximately 16-feet wide, widening near the turbine base. The total length of Project access roads is approximately 80,000 linear feet. During the initial construction of the wind farm, the existing soils are graded to match the typical contour of the

# PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN

adjacent land and compacted. Typical construction of an access road includes placement of a geotextile fabric on a prepared subgrade surface followed by 6-inches of aggregate base (pit run gravel) and 6-inches of aggregate surface course Type B (CA-6). The estimated quantity of these materials is provided in Table 2.2. A typical access road cross-section is shown in Figure 4.

**Table 2 Typical Access Road Construction Materials**

Item	Number <sup>1</sup>	Unit
Aggregate Base Course	36,300	Cubic Yards
Aggregate Surface Course	13,000	Cubic Yards

<sup>1</sup>Number based on 46-Turbine wind project

Access roads will be removed from the Project area unless a written communication is received from the host Landowner requesting that the road be retained. Decommissioning activities include the removal and transportation of aggregate materials to a site for salvage preparation. Local townships or farmers may accept the material prior to processing for use on local roads or trails, however, for the purpose of this estimate it is assumed that all materials will be removed from the Project area.

Salvage value for the aggregate surface material is based on approximately 75-percent of the original material being sold as future aggregate base course. The aggregate base course removed from the access roads assumes a 50-percent recovery rate with a similar reuse as base course. The remaining aggregate may be viable as general fill for use in a non-structural fill site. The geotextile fabric cannot be salvaged and no value is placed on its recovery. The decommissioning estimates are based on removal and re-use of aggregate as described and include transportation of non-salvageable materials to a local landfill.

## 2.8 TOPSOIL RESTORATION AND REVEGETATION

The Project Site that has been excavated and back-filled will be graded as previously described to restore land contours as near as practicable to preconstruction conditions. Topsoil will be placed on disturbed areas and seeded with appropriate vegetation to reintegrate it with the surrounding environment. Work will be completed as directed by regulations in affect at the time of decommissioning.

It is estimated that approximately 60,000 cubic yards of earth fill and top soil will be needed to restore the Project Site. The costs provided in Section 3 are based on the assumption that the earth fill and topsoil can be located within 25-miles of the Project.

**PIONEER WIND PARK  
PROJECT DECOMMISSIONING PLAN**

**3.0 Decommissioning Cost Estimate Summary**

Expenses and revenues associated with decommissioning the Project will be dependent on labor costs and market value of materials at the time of decommissioning. For the purposes of this report, approximate late 2014 average market values were used to estimate both expenses and revenues. Fluctuation and inflation of the salvage values or labor costs were not factored into the estimates.

**3.1 DECOMMISSIONING EXPENSES**

Project decommissioning will incur costs associated with the disassembly, removal, excavation and restoration of the proposed wind turbine sites and support infrastructure as described in Section 2. Table 3 summarizes the estimates for activities associated with the major components of the Project.

**Table 3 Estimated Decommissioning Expenses**

Activity	Unit	Number	Cost per Unit	Total
Overhead and management	Lump Sum		\$150,000	\$150,000
Mobilization and demobilization	Lump Sum		\$200,000	\$200,000
Local public road repairs <sup>1</sup>	Lump Sum		\$200,000	\$200,000
Turbine and step-up transformer disassembly and removal from site:				
• Crane and disassembly of turbine	each	46	\$50,000	\$2,300,000
• Deconstruction into salvageable pieces	each	46	\$45,000	\$2,070,000
• Transport of materials to recycler	each	46		
o Steel transport	each	46	\$7,500	\$345,000
o Copper transport	each	46	\$3,000	\$138,000
• Demolition, transport and dumping for rotors (3) and nacelle cover	each	46	\$2,000	\$92,000
• Transformer-load only-Refurbisher to haul	each	46	\$1,000	\$46,000
Transmission Line: Disassembly & removal from site [net]	mile	6-miles	\$350,000	\$2,100,000
Substation: Disassembly & removal from site [Net]	Lump Sum	1		\$400,000
Crane pad installation, excavation, removal and transportation (disposal – 2)	Lump Sum		\$150,000	\$150,000
Turbine Foundation				
• Concrete demolition for 54" depth of pedestal (minimum of 48" below grade)	each	46	\$10,000	\$590,000
• Disposal and backfill	each	46	\$3,500	\$161,000
Access road excavation and removal	Lump Sum		\$200,000	\$200,000
Topsoil replacement and rehabilitation			\$650,000	\$650,000
<b>Total estimated decommissioning cost (based on 46 Turbine wind farm)</b>				<b>\$9,792,000</b>

Pre-construction work will be performed to support Project construction. Minimal upgrades will be necessary due to support or damage during decommissioning (Turbine blades, towers and foundation pedestals equate to approximately one-third of entire turbine assembly; bottom portion of foundation [to remain in place] is majority of weight associated with road repairs.

**PIONEER WIND PARK  
PROJECT DECOMMISSIONING PLAN**

**3.2 DECOMMISSIONING REVENUES**

Revenue from decommissioning the Project will be realized through the sale of wind farm components and construction materials. Turbine components may be sold within a secondary market or as salvage. For purposes of this report estimated recovery values were based on the salvage value, as this is the more conservative estimate of revenue.

The market value of both steel and copper fluctuate daily, although in the long term both have generally trended upward. Steel prices are generally more stable than copper. Salvage value estimates were based on a current average price of steel and copper derived from sources including on-line recycling companies and the United States Geologic Survey (USGS) commodity summaries. The price used to value the steel in this report is \$230 per ton; the value of copper used is \$3.35 per pound (\$6,700 per ton). Table 4 summarizes the potential salvage value for the Turbine components and construction materials.

**Table 4 Estimated Decommissioning Revenues**

Item	Unit	Qty.	Salvage Price per Unit	Salvage Price per Turbine	Total (based on 46 Turbines)
<b>Wind Turbine Generators</b>					
Turbine Tower (steel)	\$1,777,440	120	\$230	\$38,640	\$1,777,440
Nacelle (steel)	\$317,400	20	\$230	\$6,900	\$317,400
Hub and Bed Plate (steel)	\$158,700	10	\$230	\$3,450	\$158,700
Anchor Bolts (steel)	\$32,200	2	\$350	\$700	\$32,200
Transformer	\$115,000	1	\$2,500	\$2,500	\$115,000
Copper	\$1,849,200	6.0	\$6,700	\$40,200	\$1,849,200
<b>Aggregate Course Materials</b>					
Aggregate base & surface course (sold for re-use as base course)	\$160,000				\$160,000
<b>Total Potential Revenue based on 46 Turbine Wind Farm</b>					<b>\$4,409,940</b>

**3.3 NET DECOMMISSIONING COST SUMMARY**

The following is a summary of the net estimated cost to decommission the Project, using the information detailed in Sections 3.2 and 3.3. Estimates are based on 2012-2013 prices, with no market fluctuations or inflation considered.

**Table 5 Net Decommissioning Summary**

Net Decommissioning Cost (with No Salvage Value)	\$9,792,000
Net Decommissioning Cost (with Salvage Value)	\$5,382,060

**PIONEER WIND PARK  
PROJECT DECOMMISSIONING PLAN**

**3.4 FINANCIAL ASSURANCE**

Financial assurance in an amount sufficient to adequately perform the required decommissioning per this Plan and according to all local, state, and federal environmental regulations will be secured by Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC or the entity with which the Decommissioning Agreement is in place. Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC will provide financial assurance in the amount equal to the Professional Engineer's certified estimate of the decommissioning costs.

# PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN

## 4.0 References

USGS Minerals Information, available from:

[http://minerals.usgs.gov/minerals/pubs/commodity/iron\\_&\\_steel\\_scrap/](http://minerals.usgs.gov/minerals/pubs/commodity/iron_&_steel_scrap/) [September 20, 2013]

USGS Circular 117, Aggregates from Natural Recycled Resources (1998), available from:

<http://pubs.usgs.gov/circ/1998/c1176/c1176.pdf> [September 23, 2013]

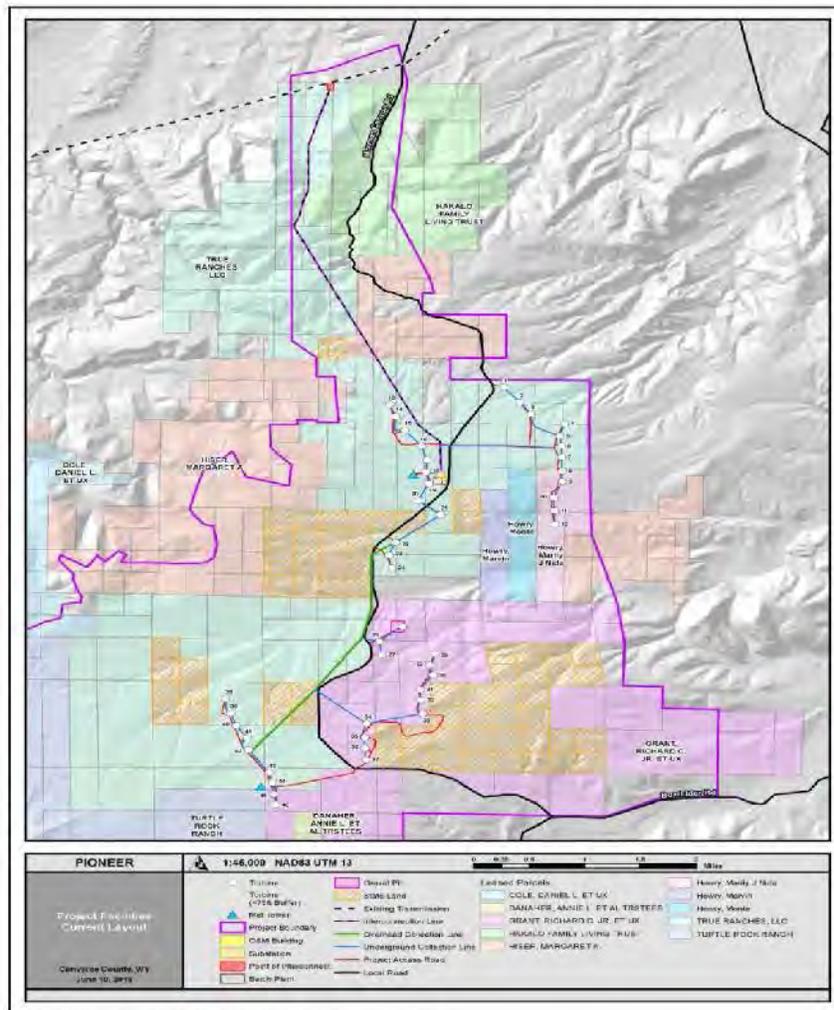
Steelmaking Commodity Prices, 2013, available from:

<http://www.steelonthenet.com/commodity-prices.html>

US Regional Scrap Prices – Midwestern, 2012, available from:

<http://www.steelonthenet.com/commodity-prices.html>

**Figure 1 Project Location and Topography**



**CONFIDENTIAL – BUSINESS INFORMATION**

# PIONEER WIND PARK PROJECT DECOMMISSIONING PLAN

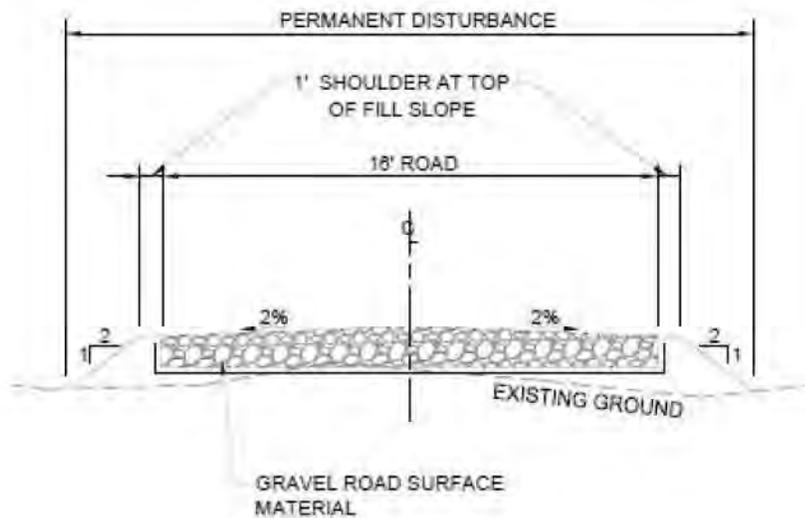
## Figure 2 Proposed Project Layout

Same as Figure 1

## Figure 3 Typical Foundation Detail

Later

## Figure 4 Access Road Detail



US Scrap Prices, 2013, available from:

<http://www.steelonthenet.com/commodity-prices.html>



July 21, 2015

Luke Esch, Administrator  
Industrial Siting Division  
Herschler Building 4 West  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

RE: Supplemental Notice of Compliance with Special Conditions Nos. 16, 17, and 21  
Pioneer Wind Park I and Pioneer Wind Park II  
Industrial Siting Council Docket DEQ/ISC 10-02

Dear Mr. Esch:

On July 18, 2011, the Industrial Siting Council issued its *Findings of Fact, Conclusions of Law and Order granting Permit Application with Conditions and Allocating Impact Assistance Funds* ("Permit") to Wasatch Wind Intermountain, LLC d/b/a Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC.

On May 16, 2014, your Permittee filed the enclosed Notice of Compliance with Special Conditions Nos. 16, 17, 20 and 21 and the enclosed Affidavit of Christine Mikell Demonstrating Compliance with Special Conditions Nos. 16, 17, 20 and 21 (hereinafter "May 2014 Mikell Affidavit").

Your Permittee respectfully submits this letter and the enclosed Supplemental Affidavit of Christine Mikell Demonstrating Compliance with Special Conditions Nos. 16, 17 and 21 to further demonstrate its compliance with such Special Conditions. The Supplemental Affidavit of Christine Mikell is provided to supplement the information in the May 2014 Mikell Affidavit as to Special Condition Nos. 16, 17 and 21. Special Permit Condition No. 20 was fully addressed in the May 2014 Mikell Affidavit and is not supplemented. Your Permittee specifically reserves the right to supplement and provide further information should the request or need arise.

At its meeting on July 14, 2014, the Industrial Siting Council did not determine compliance for Special Condition No. 20. Accordingly, your Permittee respectfully requests that the Industrial Siting Council find that Special Condition No. 20 has been and is fulfilled.

The Industrial Siting Division has not determined compliance with Special Condition Nos. 17 and 21. The Industrial Siting Division determined compliance with Special Condition No. 16 on July 16, 2015 as indicated in the Supplemental Affidavit filed concurrently herewith.

PIONEER WIND PARK, LLC • 3434 E. Bengal Blvd. • # 180  
Salt Lake City, UT • 84121

As such, your Permittee requests that the Industrial Siting Division find that Special Conditions Nos. 17 and 21 have been and are fulfilled.

Your Permittee is completely committed to bring the Pioneer Wind Projects to fruition. Your Permittee has spent \$10 million and has expended countless time and effort on the Projects since 2009. Should you require any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "CMikell".

Christine Mikell

Enclosures

BEFORE THE WYOMING INDUSTRIAL SITING COUNCIL

IN THE MATTER OF THE INDUSTRIAL )  
SITING PERMIT APPLICATION OF )  
WASATCH WIND INTERMOUNTAIN, LLC ) DOCKET NO. DEQ/ISC 10-02  
d/b/a PIONEER WIND PARK I, LLC AND )  
PIONEER WIND PARK II, LLC )

**SUPPLEMENTAL AFFIDAVIT OF CHRISTINE MIKELL DEMONSTRATING  
COMPLIANCE WITH SPECIAL CONDITIONS Nos. 16, 17, AND 21**

COMES NOW your Affiant, Christine Mikell, being duly sworn upon her oath and of legal age, and in support of the Applicant’s Supplemental Notice of Compliance with Permit Special Conditions #16, #17, and #21, filed concurrently herewith, states and alleges as follows:

1. I am the President of Wasatch Wind Intermountain, LLC d/b/a Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC (“PWP I & PWP II”).
2. On or about July 18, 2011, the Industrial Siting Council (“ISC”) issued its written “*Findings of Fact, Conclusions of Law and Order Granting Permit Application with Conditions and Allocating Impact Assistance Funds*” (“ISC Permit”) to Wasatch Wind Intermountain, LLC d/b/a Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC.
3. The ISC Permit contains certain Special Permit Conditions.
4. Special Permit Condition #16 reads, in its entirety:

**Special Condition #16.** Before the start of construction of each segment of construction – Pioneer Wind Park I & II – Permittee shall provide the second year survey of wildlife to the ISD. The Director may authorize the start of construction of the segment on a favorable recommendation by the Wyoming Game and Fish Department. Notwithstanding the above the Director may authorize the Permittee, at its own risk, to begin making improvements to Mormon Canyon Road.

5. Special Permit Condition #17 reads, in its entirety:

**Special Condition #17.** Before the start of construction the Permittee shall provide evidence of training, orientation, and agreement on response actions to the Facility to personnel of adjacent fire districts. It will include fire prevention, fire suppression, emergency rescue and the respective responsibilities of the Permittee and the district(s). The Director may authorize the start of construction on a favorable recommendation by the State Fire Marshall.

6. Special Permit Condition #21 reads, in its entirety:

**Special Condition #21.** FFA approval for remote control night lighting of wind generating towers will be sought and installed within six months of FFA approval.

7. On May 16, 2014, PWP I & PWP II filed the Affidavit of Christine Mikell Demonstrating Compliance with Special Conditions Nos. 16, 17, 20 and 21 (hereinafter “May 2014 Mikell Affidavit”).

8. This Supplemental Affidavit is provided to supplement the information in the May 2014 Mikell Affidavit as to Special Condition #16, #17 and #21.

9. Special Permit Condition #20 was fully addressed in the May 2014 Mikell Affidavit and is not supplemented herein.

10. This Supplemental Affidavit and the May 2014 Mikell Affidavit reflect PWP I & PWP II’s compliance with Special Permit Conditions #16, #17, #20 and #21.

**I. SPECIAL CONDITION #16 – SECOND YEAR WILDLIFE SURVEY**

11. As required by Special Permit Condition #16, PWP I & PWP II provided a second year wildlife survey to the ISD, obtained a favorable recommendation by the Wyoming Game and Fish Department, and obtained a letter from the Director recognizing the requirements of this Special Condition have been met.

12. PWP I & PWP II attach hereto and incorporate by reference the letter dated May 2, 2014 from the ISD confirming PWP I & PWP II have complied with the obligations of Special Permit Condition #16 as *Exhibit A*.

13. PWP I & PWP II attach hereto and incorporate by reference the letter dated July 16, 2015 from the Director recognizing the requirements of this Special Condition have been met as *Exhibit B*.

## **II. SPECIAL CONDITION #17 – TRAINING, ORIENTATION AND AGREEMENT OF FIRE DISTRICTS**

14. As required by Special Permit Condition #17 and discussed in detail below, PWP I & PWP II: developed an Integrated Contingency Plan (“ICP”) in consultation and agreement with the adjacent fire districts for response actions to the facilities, including fire prevention, fire suppression, emergency rescue and the respective responsibilities between PWP I & II and the fire districts; provided training and orientation to the personnel of the adjacent fire districts; and obtained a favorable recommendation by Lanny Applegate, the State Fire Marshal.

15. The PWP I & II Projects are located within Converse County. The fire districts within Converse County include the Town of Glenrock Fire Department, with stations in Glenrock and Rolling Hills, the City of Douglas Fire Department and the Converse County Rural Fire Department (collectively referred to herein as the “adjacent fire districts”). The Converse County Emergency Management Agency coordinates all of the emergency response agencies in Converse County.

### *A. Integrated Contingency Plan*

16. PWP I & II developed the ICP for the PWP I & II facilities for responses to any emergencies that may occur on the PWP I & PWP II site. The ICP contains the procedures and directives that are to be carried out whenever there is a natural disaster, plant emergency, or

threatened incident that may cause harm to human health or the environment. The ICP contains information related to fire prevention, fire suppression, emergency rescue and the respective responsibilities between PWP I & II, the adjacent fire districts and Converse County Emergency Management Agency.

17. In the development of the ICP, PWP I & II, the adjacent fire districts, and the Converse County Emergency Management Agency discussed and agreed upon procedures and directives to respond to emergencies. Section II Response to Emergency Rescue (Section 2.9) of the ICP addresses emergency responses if an individual becomes stranded on a tower, which was a concern expressed during the hearing on the issuance of the ISC Permit.

18. PWP I & II attach and incorporate by reference the ICP dated May 1, 2014 as *Exhibit C*. The ICP will continue to be updated as the PWP I & II facilities are constructed, operated, decommissioned and reclaimed. PWP I & II will coordinate and work with the adjacent fire districts and the Converse County Emergency Management Agency as the ICP is updated.

*B. Training and Orientation of Adjacent Fire Districts*

19. On May 16, 2014, PWP I & II provided a three hour training and orientation to the adjacent fire districts and the Converse County Emergency Management Agency. The attendees included Russ Dalgran, Hershel Wickett, Jeffrey C. Nelson, Carlos Mesa, and Mark Grant. Mr. Dalgran submitted to the Industrial Siting Division a letter dated June 22, 2015 regarding the training, orientation and agreement on the ICP, which is attached hereto and incorporated herein as *Exhibit D*.

20. Don Claussen, former Manager of Top of the World Wind Project and current Wind Operations Supervisor of the Glenrock/Rolling Hills Wind Farm, provided training on behalf of PWP I & II. Mr. Claussen discussed in detail the ICP. As fully described in the ICP, the training

and orientation included the topics of fire prevention, fire suppression, emergency rescue and the respective responsibilities of the adjacent fire districts, the Converse County Emergency Management Agency and PWP I & II.

21. As discussed and agreed upon during the training and orientation, PWP I & II will provide additional training to all members of the adjacent fire districts and offer quarterly drills for at least the first year after construction to ensure all volunteer emergency responders are prepared in the event of an emergency.

*C. Favorable Recommendation of the State Fire Marshal*

22. Lanny Applegate, the State Fire Marshal, provided a favorable recommendation that PWP I & II have complied with Special Condition #17. Marshal Applegate provided his favorable recommendation in a letter to the Industrial Siting Division dated July 15, 2015, which is attached hereto and incorporated herein at *Exhibit E*.

**III. SPECIAL CONDITION #21 – FAA APPROVAL OF LIGHTING**

23. As required by Special Permit Condition #17, PWP I & PWP II will install the remote control night lighting for the wind generating towers within six month of FAA approval.

24. In a report dated June 24, 2015, Laufer Wind provided the following summary on the development of the technology and FAA approval for the remote control night lighting:

*Technology Summary:*

Laufer Wind has developed a radar activated FAA obstruction light control technology called an Aircraft Detection Lighting System (ADLS). Our technology is specifically designed for wind farms. When there are no aircraft in the vicinity of the turbines, the lights are kept off. When aircraft fly within an FAA-defined perimeter around the turbines, the FAA lights are activated. FAA lights are turned off again when all aircraft leave the area. ADLS technology provides the best mitigation approach to reducing the impact of required FAA lighting.

The Laufer Wind ADLS is proven technology. On June 23, 2014, Laufer Wind successfully demonstrated our system to the FAA via a flight test on a wind farm. This test was witnessed and verified by DNV GL, one of the leading technology consulting firms in the wind industry.

DNV GL produced a technical note describing the flight test: *702365-USSD-T-01 Laufer Wind Technical Note 20140722*, [which is attached hereto and incorporated herein as *Exhibit F*].

[As of the date of this Supplemental Affidavit], Laufer Wind is the only radar lighting vendor to have successfully demonstrated to the FAA that we can comply with their requirements on a wind farm.

*Regulatory Summary:*

The FAA is in the final stages of updating Advisory Circular *AC 70/7460-1 Obstruction Marking and Lighting*, which describes how towers, including wind turbines are to be marked. The update includes a chapter on Aircraft Detection Lighting Systems (ADLS), which defines the technical requirements for radar activated obstruction lighting.

The requirements can be summarized as follows:

An ADLS must activate the obstruction lights prior to an aircraft entering a volume defined by a 3 nautical miles perimeter around the obstructions, which extends from the ground to 1000 ft. above the highest obstruction. The system must activate the obstruction lights in the event of failure.

The June 23, 2014 FAA flight test against the Laufer Wind system served two purposes:

1. Verification that the drafted ADLS standards were acceptable for aviation safety.
2. That a vendor exists that could meet those standards.

The flight test was successful on both accounts. The FAA is preparing a Technical Note describing the successful flight test.

The FAA currently accepts applications for radar lighting for obstructions under the name Audio Visual Warning Systems (AVWS). Prior to the successful June 23, 2014 flight test, the FAA would not consider radar lighting applications for wind farms.

The FAA has recently communicated to Laufer Wind, that upon publication of their Technical Note describing the flight test, they would consider

applications from Laufer Wind for radar lighting systems for wind farms as AVWS due to their confidence that they have established the final radar lighting requirements and that Laufer Wind can meet those requirements.

The FAA Technical Note is expected to be published in Q4 of 2015. Upon publication of the Advisory Circular, which is expected in Q1 or Q2 of 2016, radar lighting applications will be entered under the name Aircraft Detection Lighting Systems (ADLS).

*Pioneer Wind Park:*

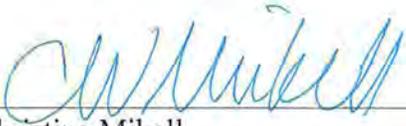
Laufer Wind has been in conversations with PWP I & PWP II about the Pioneer Wind Park Projects since 2011. The site has been well studied and modeled with our analysis tools. A system design has been completed that is expected to meet FAA requirements for radar lighting.

Laufer Wind and PWP I & PWP II are currently negotiating a purchase contract for radar lighting deployment at Pioneer. An agreed upon escrow amount of \$500K has been established for that purchase.

25. PWP I & PWP II agreed with the Laufer Wind report and will continue to monitor closely the FAA approval of the remote control night lighting.

FURTHER YOUR AFFIANT SAYETH NOT.

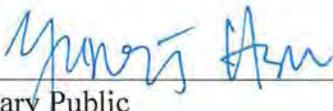
Dated this 20 day of July 2015.

  
Christine Mikell

STATE OF UTAH            )  
  ) ss.  
COUNTY OF SALT LAKE )

Subscribed and sworn to before me this 20<sup>th</sup> day of July 2015, by Christine Mikell, whose identity was proven to me on the basis of satisfactory evidence to be the individual whose name is subscribed to this instrument, and who personally appeared before me and acknowledged that she executed it as her voluntary act and deed.

WITNESS my hand and official seal.

  
Notary Public

My Commission Expires: 4-14-2019





# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.*



Matthew H. Mead, Governor

Todd Parfitt, Director

May 2, 2014



Christine Mikell  
President, Wasatch Wind Intermountain, LLC  
4525 S. Wasatch Blvd, Suite 120  
Salt Lake City, UT 84124

IN THE MATTER OF THE INDUSTRIAL SITING PERMIT OF PIONEER WIND PARKS,  
WASATCH WIND INTERMOUNTAIN, LLC - DOCKET DEQ/ISC 10-02

Dear Ms. Mikell,

This letter confirms the receipt of the Final Biological Pre-Construction Survey Report for the Pioneer Wind Park Wildlife Study Area delivered by Mr. Kunz on April 25, 2014. In addition, the Division received a letter dated April 30, 2014 from the Wyoming Game and Fish Department stating that Wasatch Wind has met its wildlife-monitoring obligation. Please keep this letter with your records of the project as evidence of completing these obligations.

Sincerely,

Kimber Wichmann  
Principal Economist  
Department of Environmental Quality, Industrial Siting Division

CC: Brent Kunz





# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.*



Matthew H. Mead, Governor

Todd Parfitt, Director

July 16, 2015

Christine Mikell  
President, Wasatch Wind Intermountain, LLC  
4525 S. Wasatch Blvd, Suite 120  
Salt Lake City, UT 84124

IN THE MATTER OF THE INDUSTRIAL SITING PERMIT OF PIONEER WIND PARK I,  
LLC AND PINONEER WIND PARK II, LLC SPECIAL CONDITION #16 DOCKET  
DEQ/ISC 10-02

Dear Ms. Mikell,

This letter confirms the receipt of the Final Biological Pre-Construction Survey Report for the Pioneer Wind Park Wildlife Study Area delivered by Mr. Kunz on April 25, 2014. In addition, the Division received a letter dated April 30, 2014 from the Wyoming Game and Fish Department stating that Wasatch Wind has met its wildlife-monitoring obligation. Pursuant to Special Condition #16 of the captioned permit, it is recognized that the requirements of this condition have been satisfied. Please keep this letter with your records of the project as evidence of completing these obligations.

Sincerely,

Todd Parfitt  
Director  
Department of Environmental Quality

CC: Brent Kunz  
Luke Esch



Wasatch Wind Intermountain, LLC.

# INTEGRATED CONTINGENCY PLAN

---

PIONEER WIND PARK I & II (PWP), LLC

**Glenrock, Wyoming**

**5/1/2014**

Control # \_\_\_\_

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## SECTION I – PLAN INTRODUCTION ELEMENTS

### 1.0 PURPOSE AND SCOPE OF PLAN COVERAGE

Wasatch Wind highly values the health and safety of its employees, customers and communities, and the protection of the environment. Our goal is to maintain safe conditions as our wind turbines generate electric power to help serve the needs of the region. Organizationally, various separate but overlapping departments throughout the company work to assure safety, health, and environmental protection while assuring the continuity of the enterprise. Together, these departments enable Pioneer Wind Park I & II to produce safe, clean and reliable energy.

The Pioneer Wind Park I & II Integrated Contingency Plan (ICP) plays an integral role in fulfilling our goal to protect the health and safety of our employees, the community, and the environment. The Pioneer Wind Park I & II ICP contains the procedures and directives that are to be carried out whenever there is a natural disaster, plant emergency, or threatened incident that may cause harm to human health or the environment. This plan is written specifically for the Pioneer Wind Park I & II (PWP-I & PWP-II) site.

### 1.1 INTRODUCTION

Pioneer Wind Park I and Pioneer Wind Park II, LLC. Are wind projects to be constructed in Converse County, Wyoming. The projects include the construction and operation of 62 wind turbines, the installation and operation of associated collection lines, access roads, substations, and related facilities.

Pioneer Wind Park I & II is a 112 MW nominal capacity wind farm consisting of 62 GE, 1.8-MW SLE wind turbines along with associated facility access roads, underground electric generation collection systems, and facilities. Pioneer Wind Park I & II's objective is to own, and operate a renewable wind energy facility that will provide wind-generated electricity to the local power grid.

The goal of the ICP is to ensure that, in the event of an emergency, roles, responsibilities, and actions are well defined and the response team is prepared to manage the event. The ICP satisfies these needs as well as regulatory requirements for emergency planning and response, as outlined in the National Response Team's Integrated Contingency Plan Guidance (EPA et al., 1996). This is accomplished by outlining and describing procedures to stop, prevent, abate, or mitigate a chemical release or threatened release, fire, explosion, or other emergency. This minimizes the possibility of harm to human health and safety, property, and the environment.

### 1.1.1 PLANT LOCATION AND SETTING

The Facility is located approximately 9 miles south of the town of Glenrock, Wyoming and 7 miles south of interstate 25. Pioneer Wind Park I & II is located on <XX,XXX> acres of leased land from private land owners and the State of Wyoming. The site is located in Converse County, Wyoming. To access the site take exit 160 on Interstate Highway 25. Take business 25 north then Mormon Canyon Rd south, approximately 7 miles.

### 1.1.2 PLANT DESCRIPTION

Pioneer Wind Park I & II will consist of 62 GE, 1.8-MW SLE model, wind turbines, approximately 252 feet (77 meters [m]) high, and two meteorological masts, approximately 164 feet (50 m) and 197 feet (60 m) high, both guyed structures. Towers and nacelles are white to comply with FAA daytime visibility requirements. Support facilities would include step-up transformers, a substation, underground and overhead power collection and communication lines, roads, and a small operation and maintenance (O&M) building. Also, location and volumes of propane and oils on site are detailed in Annex 9.

During the electrical generation process and associated wind turbine maintenance activities, a small amount of wastes are generated (see Table 1). The major waste streams generated at Pioneer Wind Park I & II are likely to be some solid waste, used oil and some universal wastes. Relatively small quantities of hazardous wastes are expected; thus, the facility operates as a conditionally exempt small quantity generator (CESQG) as defined in the Code of Federal Regulations (40 CFR 261.5).

**Table 1: Wastes Expected to be Generated at Pioneer Wind Park I & II**

Waste Description	Comments
<b>SOLID WASTES</b>	
Universal wastes	Batteries, fluorescent lights
Used oil	Moderate quantities; routine maintenance
Aerosol cans	Small quantities; intermittent
Paint waste	Small quantities; occasional
Empty drums and containers	Small quantity; infrequent
<b>WASTEWATER</b>	
Sanitary wastewater	Septic system

**Major components of the 112 MW Pioneer Wind Park I & II include the following:**

- O& M Building
- 62 GE, 1.8-MW SLE wind turbines;
- 62 pad mounted transformers adjoining base of each Wind Turbine
- Substation – XX Grounding Transformers
- Substation – main power transformer
- Underground and overhead power collection and communication lines

## 1.2 PURPOSE

The Pioneer Wind Park I & II ICP is designed to minimize the hazards to human health and the environment from fires, explosions, natural disasters, bomb threats, or any unplanned sudden or non-sudden release of hazardous chemicals/hazardous waste, hazardous waste constituents, or used oil to air, soil, or surface water. The provisions of the plan must be carried out immediately whenever such an event or release occurs that could threaten human health or the environment.

### 1.3 APPLICABILITY

This ICP consolidates and fulfills the elements of emergency response planning and contingency planning under several applicable federal regulations, as follows:

- OSHA's Emergency Action Plan Regulation – 29 CFR 1910.38(a);
- EPA's Oil Pollution Prevention Regulation (Spill Prevention, Control and Countermeasures Plan (SPCC)) – 40 CFR part 112.1-.7;
- Storm water permit requirements – 40 CFR Part 122.

In addition, the response strategies outlined in this ICP are also intended to meet the general duty requirements of the EPA Risk Management Program (40 CFR part 68) and, although not required for a Conditionally Exempt Small Quantity Generator (CESQG), the Contingency Planning requirements outlined under the hazardous waste regulations (40 CFR part 262.34; 40 CFR part 264, Subpart D; 40 CFR part 265, Subpart C and 40 CFR part 265, Subpart D).

### 1.4 REGULATORY PROGRAM RESPONSIBILITIES

It is the responsibility of the plant Emergency Coordinator, or his delegate, to maintain current information on permit and regulatory compliance requirements for Pioneer Wind Park I & II. This person shall also collect and maintain any associated compliance databases, as well as issue mandated compliance reports. With respect to this ICP, these responsibilities include monitoring the relevant regulations cited in the previous section for changes that might affect the ICP and require revisions to the ICP. This also includes filing the proper notifications and follow-up reports should a reportable incident occur. The **VWI** Environmental Health and Safety (EH&S) Group can assist the Emergency Coordinator in fulfilling these duties.

### 1.5 APPROVALS AND CERTIFICATIONS

By the signature appearing below, the signatory certifies the completeness and accuracy of the ICP with respect to the relevant regulatory requirements listed in Section 1.3. This ICP meets the following requirements:

- The ICP addresses each hazardous material or hazardous waste managed at Pioneer Wind Park I & II in amounts that could pose a potential threat to human health or the environment in the event of a spill or release incident; and
- The ICP addresses plausible natural disasters, threats against the facility, fires, and explosions.

**1.5.1 MANAGEMENT APPROVAL**

The management of Pioneer Wind Park I & II is committed to providing the manpower, equipment, facilities, and materials required to establish precautionary measures and to expeditiously control and remove material discharged as a result of a spill or release at the Pioneer Wind Park I & II described in this document. The Pioneer Wind Park I & II ICP has been carefully thought out and prepared in accordance with good engineering practices.

By signature, I certify that I have reviewed and approved the Pioneer Wind Park I & II ICP, including the elements of the SPCC contained in the ICP as required pursuant to 40 CFR 112.7. I certify that I have the authority to commit the resources necessary to implement this ICP. The Pioneer Wind Park I & II ICP will be addressed and implemented as described herein.

Signature: \_\_\_\_\_

Name: **<XXX XXXXXXXX>** \_\_\_\_\_

Title: Site O & M Manager \_\_\_\_\_

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

**2.0 RESERVED**

Reserved space

### 3.0 CURRENT REVISION DATE

The current revision date and the revision number are given on the Title Page and in the footer on all pages of this ICP. Electronic copies shall be similarly dated, numbered, and write-protected. Revisions are also summarized and tracked on the Revision Log (Table 2). Please note that the Pioneer Wind Park I & II ICP is a controlled document. Each copy is assigned a control number and is issued to a Controlled Copy Holder as listed in Table 3. Additional copies must be numbered sequentially and can only be issued by the Emergency Coordinator. Table 3 must be revised to reflect issuance of additional controlled copies. Revision or alteration of the controlled copies is not allowed without following the review and revision procedures given in the following sections.

### 3.1 REVISION LOG

The revision history of this Pioneer Wind Park I & II ICP is summarized and tracked on the Revision Log (Table 2). Information recorded in the revision log includes the revision number, revision date, the sections affected and why, and the person inserting the revised sections, including the date of the insertion(s).

**Table 2 Revision Log**

REVISION NUMBER	REVISION DATE	SECTIONS AFFECTED	REASON FOR CHANGE	REVISION INSERTED	
				BY	DATE

**Table 3 List of Controlled Copy Holders**

Control Number	Book Location	Issued To
1	Glenrock Fire Department	Fire Chief
2	Glenrock Police Department	Police Chief
3	Converse County Sheriff	Sheriff
4	Pioneer Wind Park I & II	Incident Command System/O&M Building
5	Pioneer Wind Park I & II	Alternate Emergency Coordinator
6	Wasatch Wind EHS	EHS SPOC
7	Safety Kleen	Management

### 3.2 REVIEW AND REVISION PROCEDURES

At a minimum, the Pioneer Wind Park I & II ICP will be reviewed and updated every two years. This review will be set as a scheduled task in the **WWW** computer-based maintenance program (**XXXXXX**). The Emergency Coordinator or his/her designated representative is responsible for initiating and carrying out the periodic review and revision of the ICP.

The ICP may be reviewed/revise more frequently, as appropriate, under any one or more of the following conditions:

- The applicable regulations or facility permit are revised.
- Experience during an event provides information that can be used to improve the ICP.
- Facility changes occur in design, construction, operation or maintenance that result in change(s) to the response necessary in an emergency or that materially effects the facility's potential for the discharge of oil into or upon the navigable waters of the United States or adjoining shore lines.
- The list of Incident Commanders/Emergency Coordinator changes.
- The available emergency equipment changes.
- The notification lists/procedures change.
- Other significant changes in equipment, personnel, or procedures occur that may significantly impact the effectiveness of the plan if implemented during an incident or emergency.

**PWP-I ICP      GENERAL FACILITY IDENTIFICATION INFORMATION**

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The Emergency Coordinator is also responsible for conducting the reviews and/or revisions prompted by the above listed conditions. Should a needed change, such as one of those listed above, come to the attention of an employee or representatives of the owner or operator, it is their responsibility to notify the Emergency Coordinator so that the appropriate review and revision can be conducted.

**3.3 REVISION SUBMISSION AND DISTRIBUTION PROCEDURES**

Qualified personnel shall be assigned by the Emergency Coordinator to review the ICP for changes and to draft revisions. Following editorial and technical review and correction of the draft revisions, the Emergency Coordinator shall be presented with a final revision for review and approval. Revisions may consist of one or more pages. Typically, only those pages on which changes have occurred will be reprinted, rather than reissuing the entire ICP. Revisions will be numbered sequentially starting with Revision 01 (Rev 01). The following procedures will be completed for all revisions:

- The footer on each revised page will be updated to reflect the new revision number and revision date;
- The Title Page will be updated to reflect the new revision number and revision date;
- The Revision Log will be revised to reflect the latest revision number and revision date and will include a description of the sections affected and why the revision was necessary;
- Revised pages will be inserted into controlled copies residing at the Pioneer Wind Park I & II by the Emergency Coordinator or his/her designated representative; the Revision Log will be dated and initialed as it is inserted into each copy; and
- Revised pages for controlled copies residing outside the facility (Table 3) will be mailed to the copy holder with instructions for insertion. The Revision Log will be dated and initialed by the individual completing the insertion at each location, and an envelope will be included with each insertion package for old pages to be sent back to the Pioneer Wind Park I & II as confirmation that the revision process has been completed.

At the discretion of the Emergency Coordinator, distribution of the revised pages for controlled copies residing outside of the facility may be limited to only substantive changes that affect emergency response. Revisions which are administrative and editorial in nature may be held for distribution until a subsequent revision.

**PWP-I ICP GENERAL FACILITY IDENTIFICATION INFORMATION**

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**4.0 GENERAL FACILITY IDENTIFICATION INFORMATION****4.1 FACILITY NAME**

Pioneer Wind Park I & II, LLC

**4.2 OWNER/OPERATOR/AGENT**

Wasatch Wind Intermountain, LLC. (WWI)  
1996 East 6400 South, Suite 240  
Salt Lake City, UT 84121

**4.3 PHYSICAL ADDRESS OF THE FACILITY**

Pioneer Wind Park I & II  
<Address to Be Assigned>  
Glenrock, Wyoming 82637  
Converse County

**4.4 MAILING ADDRESS OF THE FACILITY**

Pioneer Wind Park I & II  
PO Box XXX  
Glenrock, Wyoming 82637

**4.5 OTHER IDENTIFYING INFORMATION**

U.S. Department of Energy: The station will operate as a Conditionally Exempt Small Quantity Generator.

Energy Information Administration (EIA) Plant Code: XXXXX

EIA ID: XXXXX

Type of Business: Wind Farm for Electrical Generation

Facility Operational: January 2016

**4.6 KEY CONTACT(S) FOR PLAN DEVELOPMENT AND MAINTENANCE**

XXX XXXXXX, Site O & M Manager  
XXX XXXXXX, Area Manager  
XXX XXXXXX, VP of Operations  
XXX XXXXXX, Lead Wind Technician  
XXX XXXXXX, OEM Site Manager  
XXX XXXXXX, EHS Wind SPOC

#### 4.7 PHONE NUMBER FOR KEY CONTACT(S)

XXX XXXXXX	Office: (XXX) XXX-XXXX	Cell: (XXX) XXX-XXXX
XXX XXXXXX	Office: (XXX) XXX-XXXX	Cell: (XXX) XXX-XXXX
XXX XXXXXX	Office: (XXX) XXX-XXXX	Cell: (XXX) XXX-XXXX
XXX XXXXXX	Office: (XXX) XXX-XXXX	Cell: (XXX) XXX-XXXX
XXX XXXXXX	Office: (XXX) XXX-XXXX	Cell: (XXX) XXX-XXXX
XXX XXXXXX	Office: (XXX) XXX-XXXX	Cell: (XXX) XXX-XXXX

#### 4.8 FACILITY PHONE NUMBER

(XXX) XXX--XXXX

#### 4.9 FACILITY FAX NUMBER

(XXX) XXX-XXXX

## SECTION II – CORE PLAN ELEMENTS

## 1.0 INCIDENT DISCOVERY

## 2.0 INITIAL RESPONSE

- 2.1 Procedures for internal and external notifications
- 2.2 Establishment of a response management system
- 2.3 Procedures for preliminary assessment
- 2.4 Procedures for establishment of objectives and priorities for response to the specific incident
  - 2.4.1 Immediate goals/tactical planning
  - 2.4.2 Mitigating actions
  - 2.4.3 Identification of resources required for response
- 2.5 Procedures for implementation of tactical plan
- 2.6 Procedures for mobilization of resources

## 2.7 Chemical Specific Response Guidelines

- 2.8 Fire Response Guideline
- Flood Response Guideline
- Earthquake/Tornado Response Guideline
- Bomb Threat Response Guideline

2.9 Medical Emergency Response Guideline  
Emergency Rescue

## 2.10 Evacuation Plan

## 3.0 SUSTAINED ACTIONS

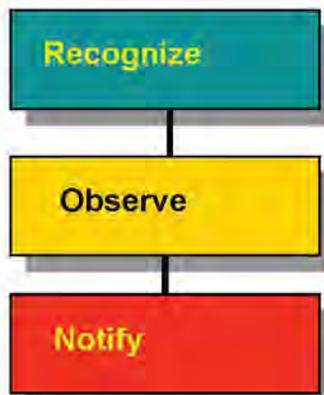
- 3.1 Transition
- 3.2 Sustained Actions

## 4.0 TERMINATION AND FOLLOW UP ACTIONS

- 4.1 Termination
- 4.2 Follow-Up Actions

## 1.0 INCIDENT DISCOVERY

In any spill, release, or emergency incident, the first act is **discovery**. The following information should be learned through proper training, because the discovery process (described here in three steps) critically depends on the person's resident knowledge, alertness, and training. All employees should receive facility-specific training in hazard recognition. This includes familiarity with the appearances, uses and behaviors of all of the chemicals utilized at the facility, signs of abnormal operations of the facility components, and clues or evidence of releases. Many of these topics will be covered in greater detail in other training, so only a summary is provided here.



The discovery stage in incident management involves **three steps**. A potential problem is **first recognized** by an employee. Alternatively, recognition may result from an automated sensor or alarm system. **Secondly**, once a potential hazard has been recognized, the employee makes a reasonable attempt to **observe** the possible problem from a safe vantage point. The employee should note the source, location, material type, nature and extent, and possible or known impacts, including possible injuries. **Thirdly**, once the employee has determined that a significant or reportable incident is occurring, or that conditions appear abnormal and potentially dangerous, the employee immediately **notifies** the

Site O&M Manager using the internal communications systems. The Site O&M Manager serves as the acting Incident Commander. This notification is to include key observations and information needed by the Incident Commander to be able to assess the situation and decide on a tactical, first-response action.



While in the workplace, an employee may **recognize** a problem or potential hazard. Part of recognition is to know the properties and behavior of equipment and chemicals at the facility (e.g., visible appearance, sound, odor, vibration, temperature). Some common classes of recognized hazards or emergencies and an approximate risk hierarchy, from highest hazard to lowest, are as follows:

- **Flammable Gas Release without Ignition** (e.g., hydrogen) – Can be evident by visible damage to equipment, sound, condensation or frost on surfaces. High hazard of ignition and explosion, so immediately clear the area to a safe distance.
- **Fire** – Can be evident because of visible flame and/or smoke, heat, charring of surfaces. If a compressed gas is the cause, or if there is a risk of the fire being extinguished while there is a continuing gas release, there may be a high hazard of explosion or rapid spread of the fire. Immediately clear the area to a safe distance, unless the fire is incipient and controllable and one is trained in fire-fighting.

- **Gasoline or Other Highly Ignitable Fluid Release** – Can be evident by visible liquid, damage to equipment, and characteristic smell of gasoline vapors. Dense vapors stay near the ground and can be easily ignited and are highly explosive. Clear the area if the release is large, is uncontrolled, and/or there is a potential ignition source.
- **Non-Flammable Gas Release** – Can be evident by visible damage to equipment, sound, condensation or frost on surfaces. Risk of asphyxiation due to oxygen displacement. Clear the area if release appears large and uncontrolled, especially if in a building or confined space.
- **Toxic Gas or Vapor Release** (e.g., acids or caustics) – Can be evident due to equipment damage, visible vapor cloud, odor, or acute pain in breathing, in the eyes, and/or on the skin. Clear the area to a safe distance.
- **Injury / Illness** (including confined space) – First aid training received by all employees will have prepared them to recognize common injuries and illnesses. If a person is down or injured, the risk to others may be limited, provided that the cause does not remain. **Do not enter a confined space** to attempt to help a person. Without proper precautions, equipment and training, a rescuer may become the next victim.
- **Life Endangering Equipment Failure** (e.g., high pressure steam; mechanical failure) – High pressure steam may be detectable as a high pitched sound, and it can be invisible. Stand clear of any failed equipment to observe the situation.
- **Oil or Other Organic Liquids Spill or Release** – Visible as clear to dark colored fluids, some that flow freely and others that are viscous, can have a noticeable odor. Can be hazardous, but less severe acute risks are usually associated with these materials. Observe from closer, but safe range.

**Observe**

**Quickly**, and **only from a safe place**, observe the situation, making note of the following:

- **Location** of the problem and its source;
- **Identity** of the known or likely material involved if it is a release;
- **Extent** of the problem (Incidental or Uncontrolled);
- **Fire or explosion risk;**
- **Injuries** to personnel and their severity; and

- **Risks** to personnel or responders (e.g., damaged equipment, mechanical hazards, gases or vapors).

Notify

**First, immediately notify** personnel in the area who may be in danger or who may be trained to assist. (Attempt to do this without slowing notification of the Site O&M Manager). **IF A SITUATION THAT IS IMMEDIATELY DANGEROUS TO LIFE AND/OR HEALTH IS OBSERVED, COMMENCE EVACUATION IMMEDIATELY.**

**Second, immediately notify** the Site O&M Manager via radio (Channel 1), providing the following information:

- **Your name;**
- **Your observations** of the situation (**Location, Identity, Extent, Fire/Explosion, Injuries, Risks**).

Upon notification of the incident by the Incident Discoverer, the Site O&M Manager will assume the role and responsibilities of the Incident Commander. The Incident Commander will draw upon his/her knowledge of plant operations, specific training courses (i.e., operator training, hazardous materials training), and this manual to respond to a particular emergency.

**Third, prepare to act** as the first responder if properly trained and instructed to do so by the Incident Commander.

**Fourth,** if not properly trained to respond, **prepare to remain** at the scene at a safe distance to meet emergency responders to direct them to the emergency, but **only if instructed** to do so by the Incident Commander.

## 2.0 INITIAL RESPONSE

Specific incidents that could pose a hazard to human health or the environment have been identified for Pioneer Wind Park I & II, LLC. Response guidelines have been developed for each specific incident and are located at the end of this section. Incidents related to a chemical spill or release, are grouped together under the **yellow** tabs. Incidents not related to a spill or release including fire, tornado, earthquake, flood, and bomb threat are grouped together under the **red** tabs; the medical emergency response guideline is under the **blue** tab, and the **green** tab marks the evacuation plan.

The following paragraphs provide an overview of the content of each of the incident-specific response guidelines. These paragraphs follow the outline suggested in the ICP Guidance document (EPA et al., 1996). This accomplishes two goals. First, following the ICP Guidance allows for easy reference to the regulatory requirements through the matrix provided in Annex 8, which is also important from the perspective of assisting auditors in determining which sections fulfill specific regulatory requirements. Second, the following paragraphs allow for an explanation of how the incident-specific response guidelines function in a practical way.

Although these paragraphs follow the outline suggested in the ICP guidance document, the individual response guidelines do not follow this suggested format. Instead the guidelines are presented in a chronological order providing step-by-step guidance on how to respond to a spill or leak. A general outline of the steps follows:

- Step 1 — Implement Incident Command System
- Step 2 — Dispatch First Responder
- Step 3 — First Responder Actions
- Step 4 — Notify Emergency Coordinator and Key Site Personnel
- Step 5 — Conduct Hazard Assessment
- Step 6 — External Notification
- Step 7 — Prepare Incident Action Plan
- Step 8 — Execute Response
- Step 9 — Additional Notification

An Incident Response Checklist, to be completed during any incident, is provided in Annex 6. This checklist will ensure that all steps are completed in the correct order.

## 2.1 PROCEDURES FOR INTERNAL AND EXTERNAL NOTIFICATIONS

Procedures for internal and external notifications are described in detail in Section 1.0, Incident Discovery, and in each of the incident-specific response guidelines. Internal notification procedures begin with notification of the Site O&M Manager upon discovery of an incident. The Site O&M Manager assumes the role of the Incident Commander. The Incident Commander is responsible for managing all emergency response actions and fulfills the regulatory elements detailed in 40 CFR Part 264 Subpart D, and 40 CFR

Part 265 Subpart D. Detailed descriptions of the duties and responsibilities of the Incident Commander are given in Annex 3. Annex 3 also provides a list of all persons qualified to act as Incident Commander, including their names, addresses, and office and home telephone numbers. For this plan, the term Emergency Coordinator is used to indicate the person who is administratively responsible for the ICP and acts as a resource to the Incident Commander.

Depending on the nature of the incident, the Incident Commander or First Responder may initiate additional internal notifications including evacuations (Step 3) and notification of the Emergency Coordinator (Step 4). Evacuation procedures are given in the Evacuation Plan (**GREEN TAB**).

External notifications, as appropriate for each incident, are detailed in Step 6 and Step 9. External notifications include entities such as the Glenrock Fire Department, emergency medical services, Hazardous Materials (HAZMAT) teams, Rescue teams, emergency spill response contractors, the Wyoming Department of Environmental Quality (WDEQ), and the National Response Center (NRC). Instructions are also included in these steps with regard to the type of critical information that the caller should be prepared to give to the emergency contact.

A complete list of all internal and external contacts is provided in Annex 2.

## 2.2 ESTABLISHMENT OF A RESPONSE MANAGEMENT SYSTEM

Implementation of the Response Management System/Incident Command System (ICS) is initiated in Step 1 of each incident-specific response guideline. Detailed information on specific components and functions of the response management system is provided in Annex 3.

## 2.3 PROCEDURES FOR PRELIMINARY ASSESSMENT

In general, hazard assessment includes determination of the incident source, determination of release/spill magnitude, identification of specific hazards associated with the incident (both health and safety hazards and fire/explosion hazards), and assessment of the incident with regard to hazards to human health or the environment beyond the immediate incident surroundings.

Detailed hazard assessment for each incident type identified for the facility is described in Step 5 of the incident-specific response guidelines. Information to guide hazard assessment was integrated from several resources including Material Safety Data Sheets (MSDS), the *North American Emergency Response Guidebook* (2000), the *NIOSH Pocket Guide to Chemical Hazards* (1997), and the *Book of Lists for Regulated Hazardous Substances* (1997).

## 2.4 PROCEDURES FOR ESTABLISHMENT OF OBJECTIVE AND PRIORITIES FOR RESPONSE TO THE SPECIFIC INCIDENT

### 2.4.1 IMMEDIATE GOALS/TACTICAL PLANNING

Immediate goals are described in Step 3 of the incident-specific response guidelines. First Responder actions are actions designed to address issues related to immediate protection of facility personnel and the public. These actions include attending to injured personnel, evacuation and barricading of surrounding areas, as necessary, and mitigation of the problem, if possible (e.g., source control, cleanup of spilled materials, minor fire-fighting).

In Step 7, the Incident Commander plans a response to the incident should the First Responder actions not be adequate.

### 2.4.2 MITIGATING ACTIONS

Mitigating actions necessary to control, contain, and recover during a specific incident are described in each incident-specific response guideline. Step 3 provides the first opportunity for mitigating actions when the First Responder performs his/her duties as listed under this step. Additional mitigating actions are conducted during execution of Step 8.

### 2.4.3 IDENTIFICATION OF RESOURCES REQUIRED FOR RESPONSE

Identification of resources required for the response is initiated during development of the action plan (Step 7). A list of all emergency equipment at the facility is provided in Annex 10. Description of the emergency equipment in Annex 10 includes a physical description of each item on the list, a description of its location, and a brief outline of its

capabilities. The locations of emergency response equipment are shown on Figure 2 in Annex 1.

## **2.5 PROCEDURES FOR IMPLEMENTATION OF INCIDENT ACTION PLAN**

Execution of the incident action plan (IAP) is outlined in Step 8 for each incident-specific response guideline.

## **2.6 PROCEDURES FOR MOBILIZATION OF RESOURCES**

Mobilization of resources necessary for execution of the tactical plan is directed in Step 8 of each incident-specific response guideline. Refer to Annex 10 for a list and description of emergency response equipment and to Annex 1 for locations (Figure 2).

<p><b>2.7</b> <b>Acids/Bases</b></p>	<p>None</p>
<p><b>2.7</b> <b>Flammable Gases</b></p>	<p>Propane</p>
<p><b>2.7 Non-Flammable Gases</b></p>	<p>SF6 Gas</p>
<p><b>2.7</b> <b>Oil-Based Liquids</b></p>	<p><b>Light-Oil</b>                  Lubrication Oil (Castro Brayco 717, Castro Optigear 320)                  Hydraulic Oil (Shell Tellus 46)                  Transformer Oil (PMT's - Howard Industries 331831-01831, MPT - Airgon HYDAC 2)                  Diesel Fuel                  Gasoline</p> <p><b>Used Oil</b></p>
<p><b>2.7</b> <b>Other Chemicals</b></p>	
<p><b>2.8</b></p>	<p><b>Fire</b>  <b>Flood</b>  <b>Earthquake/Tornado</b>  <b>Bomb Threat</b></p>
<p><b>2.9</b></p>	<p><b>Medical Emergency</b>  <b>Emergency Rescue</b></p>
<p><b>2.10</b></p>	<p><b>Evacuation Plan</b></p>

## 2.7 RESPONSE TO SPILL OF LIGHT OILS/ USED OIL

### Including:

**LUBRICATION OIL (Castro Brayco 717, Castro Optigear 320)**

**HYDRAULIC OIL (Shell Tellus 46)**

**TRANSFORMER OIL (PMT's - Howard Industries 331831-01831, MPT - Airgon HYDAC 2)**

THE FOLLOWING **INITIAL RESPONSE STEPS** WILL BE CARRIED OUT OR DELEGATED BY THE INCIDENT COMMANDER WHO IS FAMILIAR WITH AND FULLY TRAINED IN THIS ICP AND IN INCIDENT COMMAND SYSTEM (ICS) PROCEDURES.

### STEP 1 IMPLEMENT ICS (SITE O&M MANAGER)

The Site O&M Manager assumes the position of Incident Commander upon notification of the incident by the Incident Discoverer. The Incident Commander initiates implementation of the Incident Command System (ICS) per Annex 3 and completes the Incident Response Checklist per Annex 6.

### STEP 2 DISPATCH FIRST RESPONDER (INCIDENT COMMANDER)

Based on information provided by the Incident Discoverer, the Incident Commander dispatches the **First Responder(s)**. The First Responder must be fully trained and qualified to perform the functions described in Step 3. **Note:** The Incident Discoverer may become the First Responder if fully trained and qualified.

Communications between the Incident Commander and the First Responder will be conducted via two-way radios using **Channel 1**.

### STEP 3 FIRST RESPONDER ACTIONS (FIRST RESPONDER)

- **ASSESS** scene from a distance and notify the Incident Commander of any additional details observed regarding the nature of the spill.
- **APPROACH** the spill area with caution and evaluate the scene to ensure safe entry. **DO NOT WALK INTO OR TOUCH ANY SPILLED MATERIAL. DO NOT** enter area with potentially flammable atmosphere (over 10% of the lower explosive limit). Use a suitable flammable gas meter. Do not use a halogen-based detection unit. Extreme hazard of fire and explosion may result from static electrical discharge or other ignition source.

If unsafe work conditions are encountered (i.e., fire or other immediate danger to life and health is encountered), the First Responder will leave the incident

area at once. At this point the First Responder has the authority to **INITIATE** an **EVACUATION** if the danger to life and health is immediate (refer to the Evacuation Plan - **GREEN TAB**). Commence Evacuation and notify the Incident Commander of conditions encountered and the steps taken. A **HEAD COUNT** will be conducted at the Primary Evacuation Assembly Area.

If safe entry into the area is possible, the First Responder will report back to the Incident Commander on conditions encountered and will perform the following tasks, as necessary:

- **ATTEND** to injured personnel if safe to do so (see First Aid below).

**SPECIFIC FIRST-AID:**

**Inhalation:** Since vapor pressure is very low, inhalation under ambient conditions is normally not a problem. If overcome by vapor from heated product, remove from exposure. If not breathing, call appropriate emergency responders. Keep warm and at rest. Get medical attention as soon as possible (refer to Medical Emergency Guideline — **BLUE TAB**)

**Eye contact:** Immediately flush eyes with clean low-pressure water for at least 15 minutes while forcibly holding eyelids apart to ensure complete irrigation of all eye and lid tissue. Get medical attention as soon as possible (refer to Medical Emergency Guideline — **BLUE TAB**).

**Skin contact:** Remove and isolate contaminated clothing. Flush exposed skin areas with plenty of water for at least 15 minutes. Clean affected areas with waterless skin cleanser followed by mild soap and warm water. **DO NOT** use gasoline, thinners, or solvents to remove product from skin. Launder contaminated clothing before wearing. Remove lightly contaminated shoes and thoroughly clean and dry before reuse. Discard saturated leather goods.

**Ingestion:** If victim is conscious and alert, give 2 to 3 cups of milk or water to drink. **DO NOT** induce vomiting because product can enter lungs and cause chemical pneumonia. Never administer liquids to an unconscious person. If vomiting occurs spontaneously, keep head below hips to prevent aspiration of liquid into the lungs. Get medical attention (refer to Medical Emergency Guideline — **BLUE TAB**).

- **EVACUATE** surrounding area, as necessary.
- **BARRICADE** area from safe distance and deny entry to unauthorized personnel, as necessary (160 feet minimum radius in all directions). **STAY UPWIND** and out of low **AREAS**.
- **DO NOT ALLOW IGNITION SOURCES** (vehicles, etc.) into area and remove existing sources.

- **MITIGATE RELEASE** if safe to do so and the First Responder is qualified.

#### STEP 4 NOTIFY EMERGENCY COORDINATOR AND KEY SITE PERSONNEL (INCIDENT COMMANDER)

Any spill/release or threatened spill/release of light oil which could significantly impact human health, safety, or the environment must be reported immediately upon discovery to the Emergency Coordinator or an Alternate Emergency Coordinator. See Annex 2 of the ICP for contact telephone numbers.

#### STEP 5 CONDUCT HAZARD ASSESSMENT (INCIDENT COMMANDER)

Based on information provided by the Incident Discoverer and the First Responder, conduct a detailed hazard assessment as follows:

- Identify exact **location** of spill, and if possible, the specific source of the spill.

Locations and quantities of <b>Light Oils</b> in the facility are as follows:		
Type	Location	Quantity
Insulating Oil in Main Transformer	Substation	13,310 gallons
Insulating Oil in Pad-mount Transformers	At all 62 tower bases	42,160 gallons
Grounding Transformers	Substation	X,XXX gallons
Coupler Capacity Voltage Transformer	Substation	32 gallons
Gear Lube oil in Wind Turbine gearbox	Nacelle of each turbine	4,826 gallons
Lube oil and hydraulic Oil drums	O&M Building	440 gallons

For activation of the Crisis Management Team, contact the **Generation Control Center** at **X-XXX-XXX-XXXX**.

- Determine the **magnitude** of the spill (i.e., incidental spill versus uncontrolled spill). Determination of incidental versus uncontrolled will be made by the Incident Commander based on his/her training and knowledge of response capabilities.

**INCIDENTAL SPILL:** When there is a minimal safety or health hazard, a spill may be controlled by properly trained personnel following standard procedures such as valving-off piping or enhancing natural ventilation.

\* **PROPERLY TRAINED PERSONNEL** include those employees that have successfully completed training in incident discovery, hazard communication, Integrated Contingency Plan, use of personal protective equipment and decontamination procedures.

**UNCONTROLLED SPILL:** If the spill cannot be controlled by properly trained personnel (see above) or there is an immediate health threat due to fire, exposure or spill of this substance, initiate external notification procedures (see **STEP 6**).

Note: By definition, a fire fed by light oil is considered to be an uncontrolled spill. Immediately initiate external notification procedures (**STEP 6**).

- Identify specific **hazards** associated with the spill.

**Specific hazards for Light Oils** are as follows:

#### **FIRE AND EXPLOSION HAZARDS**

Flammable vapors occur only with increased temperatures. Do not weld, heat, cut, braze, solder, grind, or drill containers. Emptied containers still contain hazardous vapor or liquid. Do not use pressure to empty drum or tank, as explosion may result. Surfaces that are sufficiently hot may ignite even liquid product in the absence of sparks or flame. Heavier than air vapors may accumulate and travel to ignition sources.

#### **HEALTH & SAFETY HAZARDS**

Combustible and flammable liquids. At elevated temperatures, these materials may spill ignitable vapors that are heavier than air and invisible. Extensive exposure to vapors may cause irritation to nose, throat, and lungs, and can cause signs and symptoms of central nervous system depression.

Ingestion may cause gastrointestinal disturbances such as irritation, nausea, vomiting and diarrhea, and central nervous system effects similar to alcohol intoxication. In more severe cases, tremors, convulsions, loss of consciousness, coma, respiratory arrest, and death may occur.

Combustion of fuels in areas without adequate ventilation may result in hazardous levels of combustion products including carbon monoxide. It may cause asphyxiation by exclusion of oxygen.

Additional chemical information is available at the end of this incident response guideline.

- Assess **impact** to other areas of the facility.

## STEP 6 EXTERNAL NOTIFICATION (INCIDENT COMMANDER)

**INITIATE** external notifications immediately if the Hazard Assessment has determined that the spill is an uncontrolled spill and is beyond the capabilities of First Responders. Be prepared to provide these external agencies with information regarding the incident such as name, location, phone number, nature of emergency (type of chemical involved), and status of any injured personnel.

### In Case of an Emergency call 9-911

**STOP:** IF SPILL IS UNCONTROLLED, SECURE THE AREA AND WAIT FOR EXTERNAL EMERGENCY RESPONDERS. FOR UNCONTROLLED SPILLS, INCIDENT COMMAND DUTIES, INCLUDING DEVELOPMENT OF AN INCIDENT ACTION PLAN, WILL BE TRANSFERRED TO THE APPROPRIATE EXTERNAL EMERGENCY RESPONDER UPON THEIR ARRIVAL TO THE FACILITY. THE FORMER INCIDENT COMMANDER WILL REMAIN AS PART OF THE UNIFIED COMMAND STRUCTURE UNTIL THE EMERGENCY NO LONGER EXISTS. BE PREPARED TO **ESCORT** EMERGENCY PERSONNEL TO THE LOCATION OF THE INCIDENT.

## STEP 7 PREPARE INCIDENT ACTION PLAN (INCIDENT COMMANDER)

**PLAN** a response to the spill. For incidental spills, the following plan applies:

- **IDENTIFY** necessary personnel and equipment (refer to Annex 10);
- **CONTROL** the spill (in the event of a secondary fire, refer to Fire Incident Guideline — **RED TAB**); and
- **REDUCE** light oil levels in facility.

## STEP 8 EXECUTE RESPONSE (INCIDENT COMMANDER)

For incidental spills, **EXECUTE** the plan as follows:

- **MOBILIZE** necessary personnel and equipment.

- **VENTILATE** area to prevent flammable mixture from forming, but
  - DO NOT** use mechanical ventilation that may provide ignition source if device is within a flammable atmosphere.
  - DO NOT** enter area of flammable atmosphere (over 10% of the lower explosive limit). Use a suitable flammable gas meter (explosimeter). Do not use a halogen-based detection unit. Extreme hazard of fire and explosion may result from static electrical discharge or other ignition source.
- **INITIATE** secondary containment:
  - Dike area with absorbent material or sand.
  - Cover storm drains in area and divert flow.
  - If solution is in storm drains, send crew downstream of catch basin to stop flow with absorbent, sand, or pipe plug device (refer to Annex 1 — Figure 2). If entry into catch basin or storm sewer is required, contact Emergency Response Contractor (**STEP 6**). **DO NOT ENTER ANY CONFINED SPACES.**
  - For large spills, contact the appropriately trained spill response contractor (refer to step 6).

## STEP 9 ADDITIONAL NOTIFICATION (INCIDENT COMMANDER)

### PUBLIC AFFAIRS NOTIFICATION:

As a result of an oil or chemical spill at the PWP facility, notifications to local media may be warranted. Contact the **Public Affairs Department at (XXX) XXX-XXXX** for assistance and refer to the PWP Crisis Communication Plan in Annex 16 for specific details on media notifications.

### REPORTABLE QUANTITY NOTIFICATION:

#### Reportable Quantity: 25 gallons or any sheen visible on water

Oil is not a CERCLA listed hazardous substance and does not require reportable quantity notification to the National Response Center. However, oil that is released offsite and reaches water must be reported to the National Response Center:

National Response Center ..... 1-800-424-8802

Additionally, the State of Wyoming requires notification if 25 gallons or more of oil is spilled or leaves a sheen on water:

Wyoming Department of Environmental Quality (WDEQ) .....(307) 777-7781

Be prepared to provide your name/telephone number, name/address of the facility, time/type of incident, name and quantity of material involved, the extent of injuries, and possible hazards to human health or the environment outside the facility. Follow-up written reports will be required to be submitted to these agencies.

#### **CRISIS MANAGEMENT TEAM NOTIFICATION:**

Activation of the Crisis Management Team may be required for certain chemical spills/releases at the PWP facility. Notification triggers include:

- An incident at or near a WWI facility which has resulted in a significant threat to health or safety (whether it involves employees or the public) or to ongoing facility operations.
- An incident which will require unplanned emergency response resource support from outside.
- An incident requiring significant interface with or on-ground presence from regulatory/civil authorities.
- Incidents of wide-spread media interest.

(End of **LIGHT OIL/ USED OIL SPILL** section)



## 2.8 RESPONSE GUIDELINES

### 2.8.1 RESPONSE TO FIRE

THE FOLLOWING **INITIAL RESPONSE** STEPS WILL BE CARRIED OUT OR DELEGATED BY THE INCIDENT COMMANDER WHO IS FAMILIAR WITH AND FULLY TRAINED IN THIS ICP AND IN INCIDENT COMMAND SYSTEM PROCEDURES.

#### STEP 1 IMPLEMENT ICS (SITE O&M MANAGER)

The Site O&M Manager assumes the position of Incident Commander upon notification of the incident by the Incident Discoverer. The Incident Commander initiates implementation of the Incident Command System per Annex 3 and completes the Incident Response Checklist per Annex 6.

#### STEP 2 DISPATCH FIRST RESPONDER (INCIDENT COMMANDER)

Based on information provided by the Incident Discoverer, the Incident Commander dispatches the **First Responder(s)**. The First Responder must be fully trained and qualified to perform the functions described in Step 3. **Note:** The Incident Discoverer may become the First Responder if fully trained and qualified.

Communications between the Incident Commander and the First Responder will be conducted via two-way radios using **Channel 1**.

#### STEP 3 FIRST RESPONDER ACTIONS (FIRST RESPONDER)

- **APPROACH** the incident area with caution and evaluate the scene to ensure safe entry. If unsafe conditions are encountered (i.e., explosion risk or other immediate danger to life and health is encountered such as heat, smoke, toxic gases or structural damage), the First Responder will leave the incident area at once. At this point the First Responder has the authority to **INITIATE** an **EVACUATION** if the danger to life and health is immediate (refer to the Evacuation Plan - **GREEN TAB**). Once the alarm has been sounded, notify the Incident Commander of conditions encountered and the steps taken. A **HEAD COUNT** will be conducted at the Primary Evacuation Assembly Area.

If safe entry into the area is possible, the First Responder will report back to the Incident Commander on conditions encountered and will perform the following tasks, as necessary:

- **ATTEND** to injured personnel if safe to do so (see First-aid below).

**SPECIFIC FIRST-AID:** DO NOT move injured personnel unless they are in immediate danger of further injury. Keep victim quiet and maintain normal body temperature. Seek medical assistance promptly (refer to Medical Emergency Guideline — **BLUE TAB**).

- **EVACUATE** surrounding area, as necessary.
- **BARRICADE** area from safe distance and deny entry, as necessary.
- **EXTINGUISH** the fire if the First Responder is qualified and it is safe to do so.

#### **STEP 4 NOTIFY EMERGENCY COORDINATOR AND KEY SITE PERSONNEL (INCIDENT COMMANDER)**

Any fire that could significantly impact human health, safety, or the environment must be reported immediately upon discovery to the Emergency Coordinator or an Alternate Emergency Coordinator. See Annex 2 of the ICP and the ICP wall chart for contact telephone numbers.

#### **STEP 5 CONDUCT HAZARD ASSESSMENT (INCIDENT COMMANDER)**

Conduct a detailed hazard assessment as follows:

- Identify exact **location** of the fire.
- Determine the **magnitude** of the fire (i.e., incidental fire versus uncontrolled fire). Determination of incidental versus uncontrolled will be made by the Incident Commander based on his/her training and knowledge of response capabilities.

**INCIDENTAL FIRE:** When there is a minimal safety or health hazard, a fire may be controlled by properly trained personnel following standard fire-fighting procedures.

\* **PROPERLY TRAINED PERSONNEL** include those employees that have successfully completed basic fire-fighting training and training in incident discovery, hazard communication, the Integrated Contingency Plan, use of personal protective equipment, and decontamination procedures. Fire-fighting by Pioneer Wind Park personnel shall be limited to use of fire extinguishers.

**UNCONTROLLED FIRE:** If the fire cannot be controlled by properly trained personnel (see above) or there is an immediate health threat due to explosion or production of toxic gases, initiate notification procedures (see **STEP 6**).

**Note:** By definition, a hydrogen fed, natural gas fed, or light oil fed fire is an uncontrolled fire. Immediately initiate notification procedures (**STEP 6**).

- Identify specific **hazards** associated with the fire.

**Specific hazards for Fire** are as follows:

#### EXPLOSION HAZARDS

Beware of an increased explosion hazard due to heat generated by fire. Includes hazards associated with exploding pipes and vessels and rocketing cylinders.

#### HEALTH & SAFETY HAZARDS

Health and safety hazards associated with fire include burn injury, smoke inhalation which may lead to shortness of breath, unconsciousness, and death, heat exhaustion in those fighting the fire, and danger due to loss of structural integrity leading to building collapse.

- Assess **impact** to other areas of the facility.

## STEP 6 EXTERNAL NOTIFICATION (INCIDENT COMMANDER)

If not already done, **Commence EVACUATION** of personnel from the affected building (**GREEN TAB**).

**INITIATE** external notifications immediately if the Hazard Assessment has determined that the fire is an uncontrolled fire and is beyond the capabilities of PWP First Responders. Be prepared to provide these external agencies with information regarding the incident such as name, location, phone number, nature of emergency (class of fire\*, chemicals involved, etc.), and status of any injured personnel. If a fire threatens human health or the environment outside the facility, notify the fire department of the need for evacuation. PWP personnel will work with the fire department to notify all potential receptors.

**In Case of an Emergency call 9-911**

**STOP:** IF FIRE IS UNCONTROLLED, SECURE THE AREA AND WAIT FOR EXTERNAL EMERGENCY RESPONDERS. FOR UNCONTROLLED FIRES, INCIDENT COMMAND DUTIES, INCLUDING DEVELOPMENT OF AN INCIDENT ACTION PLAN, WILL BE TRANSFERRED TO THE APPROPRIATE EXTERNAL EMERGENCY RESPONDER UPON THEIR ARRIVAL TO THE FACILITY. THE FORMER INCIDENT COMMANDER WILL REMAIN AS PART OF THE UNIFIED COMMAND STRUCTURE UNTIL THE EMERGENCY NO LONGER EXISTS. BE PREPARED TO **ESCORT** EMERGENCY PERSONNEL TO THE LOCATION OF THE INCIDENT. **DIRECT** EMERGENCY PERSONNEL TO NEAREST FIRE-FIGHTING STATION/HYDRANT (see FIGURE 2, ANNEX 1).

## STEP 7 PREPARE INCIDENT ACTION PLAN (INCIDENT COMMANDER)

**PLAN** a response to the fire. For incidental fires, the following plan applies:

- **IDENTIFY** class of fire (refer to end of guideline);
- **IDENTIFY** necessary personnel and equipment (refer to Annex 10);
- **DETERMINE** status of affected electrical, chemical and mechanical systems;
- **IDENTIFY** hazardous chemical involved, if any, and
- **CONTROL** the fire.

## STEP 8 EXECUTE RESPONSE (INCIDENT COMMANDER)

For incidental fires, **EXECUTE** the plan as follows:

- **MOBILIZE** necessary personnel and equipment.
- **SHUT DOWN** electrical, chemical or mechanical system that may be contributing to the fire or affected by the fire. If systems are shut down, **MONITOR** for leaks, pressure buildup, gas generation, or ruptures in valves, pipes, or other equipment.
- **REMOVE** or **ISOLATE** unaffected container, equipment or hazardous material if safe to do so.

If hazardous chemicals are involved, **REFER** to the incident response guidelines for the chemical specific fire-fighting information (**YELLOW TABS**).

- **EXTINGUISH** the fire using appropriate fire suppression equipment for class of fire involved including :

- Portable fire extinguishers

**Note:** Refer to Figure 2 (Annex 1) for location of fire-fighting equipment.

- **STOP** fire suppression activities if evasive actions must be taken to avoid heat, smoke or flames. Initiate actions for uncontrolled fire (**STEP 6**).

## STEP 9 ADDITIONAL NOTIFICATION (INCIDENT COMMANDER)

### PUBLIC AFFAIRS NOTIFICATION:

As a result of a fire at Pioneer Wind Park I & II, notifications to local media may be warranted. Contact the Public Affairs Department at (XXX) XXX-XXXX for assistance and refer to the Pioneer Wind Park Crisis Communication Plan in Annex 16 for specific details on media notifications.

### REPORTABLE QUANTITY NOTIFICATION:

If a fire or explosion at Pioneer Wind Park I & II threatens human health or the environment outside the facility, immediately notify the National Response Center.

National Response Center ..... 1-800-424-8802

Be prepared to provide your name/telephone number, name/address of the facility, time/type of incident, name and quantity of material involved, the extent of injuries, and possible hazards to human health or the environment outside the facility.

### CRISIS MANAGEMENT TEAM NOTIFICATION:

Activation of the Crisis Management Team may be required for fires or other emergencies at the Pioneer Wind Park facility. Notification triggers include:

- A major fire, explosion, acts of nature, vandalism, or other losses of greater than \$100,000;
- An incident at or near a **WVI** facility which has resulted in a significant threat to health or safety (whether it involves employees or the public) or to ongoing facility operations.
- An incident which will require unplanned emergency response resource support from outside.
- An incident requiring significant interface with or on-ground presence from regulatory/civil authorities.
- Incidents of wide-spread media interest.

**ADDITIONAL INFORMATION — CLASS OF FIRE**

Class A — wood, paper, trash

Class B — flammable liquids, grease, solvents

Class C — electrical

Class D — metals

(End of **FIRE** section)

## 2.8.2 RESPONSE TO FLOOD

Even though flooding of Pioneer Wind Park I & II is not expected, prudent planning requires contingency plans associated with flooding.

If monitoring of an extreme rainfall event indicates that flooding will likely occur, On-Shift personnel will complete the following if time permits:

- Ensure that all containers are moved into a building and secured to keep them from floating away in the rising waters.
- Make arrangements to transport all Hazardous Wastes and materials (product) on an emergency basis to a licensed treatment, storage, and disposal or transfer facility by a registered hauler.
- If materials/waste are moved off-site, ensure all waste shipments are properly manifested and carefully record the following information for product shipments:
  - Transporter's name;
  - Volume of hazardous waste/materials;
  - Name of facility receiving hazardous waste/materials; and
  - Type and description of hazardous waste/materials.

Based on the severity of the flood, the [Site O&M Manager](#) may decide that operational changes or Site shutdown is justified.

The [Site O&M Manager](#) also has the authority to call for the **EVACUATION** of the facility, which will be in accordance with the Evacuation Plan (**GREEN TAB**). A **HEAD COUNT** will be conducted at the Primary Evacuation Assembly Area. Evacuation routes outside of the facility will follow routes setup by local emergency departments.

THE FIRST TEAM OF PERSONNEL TO ENTER THE FACILITY AFTER THE FLOOD HAS RECEDED WILL PERFORM A DETAILED CHECK OF THE FACILITY PER OPERATIONAL PROCEDURES. PARTICULAR EMPHASIS WILL BE PLACED ON EXAMINATION OF THE SITE WITH REGARD TO EQUIPMENT DAMAGE AND STRUCTURAL/FOUNDATION DAMAGE PRIOR TO STARTUP.

IF AN INCIDENT IS DISCOVERED, SUCH AS A CHEMICAL SPILL, THE FOLLOWING **INITIAL RESPONSE STEPS** WILL BE CARRIED OUT OR DELEGATED BY THE INCIDENT COMMANDER WHO IS FAMILIAR WITH AND FULLY TRAINED IN THIS ICP AND IN INCIDENT COMMAND SYSTEM PROCEDURES.

## STEP 1 IMPLEMENT INCIDENT COMMAND SYSTEM (SITE O&M MANAGER)

The Site O&M Manager assumes the position of Incident Commander upon notification of the incident by the discoverer. The Incident Commander initiates implementation of the Incident Command System per Annex 3 and completes the Incident Response Checklist per Annex 6.

## STEP 2 DISPATCH FIRST RESPONDER (INCIDENT COMMANDER)

Based on information provided by the Incident Discoverer, the Incident Commander dispatches the **First Responder(s)**. The First Responders must be fully trained and qualified to perform the functions described in Step 3. **Note:** The Incident Discoverer may become the First Responder if fully trained and qualified.

Communications between the Incident Commander and the First Responder will be conducted via two-way radios using **Channel 1**.

## STEP 3 FIRST RESPONDER ACTIONS (FIRST RESPONDER)

- **APPROACH** the incident area(s) with caution and evaluate the scene(s) to ensure safe entry. If unsafe work conditions are encountered (i.e., fire, risk of explosion or other immediate danger to life and health is encountered), the First Responder(s) will leave the area(s) at once and will notify the Incident Commander of conditions encountered. Based on the severity of the conditions observed, the Incident Commander has the authority to call for **EVACUATION** of the facility (refer to the Evacuation Plan - **GREEN TAB**). The evacuation alarm will be sounded, if possible, or given by word of mouth via radio. A **HEAD COUNT** will be conducted at the Primary Evacuation Assembly Area.

If safe entry into the area is possible, the First Responder will report back to the Incident Commander on conditions encountered and will perform the following tasks, as necessary:

- **ATTEND** to injured personnel if safe to do so (see First-aid below).

**SPECIFIC FIRST-AID: DO NOT** move injured personnel unless they are in immediate danger of further injury. Keep the victim quiet and maintain normal body temperature. Seek medical assistance promptly (refer to Medical Emergency Guideline — **BLUE TAB**).

- **EVACUATE** surrounding area(s), as necessary.

- **BARRICADE** area(s) from safe distance and deny entry, as necessary.
- **MITIGATE** emergencies if the First Responder is qualified and it is safe to do so.

#### **STEP 4 NOTIFY EMERGENCY COORDINATOR AND KEY SITE PERSONNEL (INCIDENT COMMANDER)**

Hazards resulting from flood damage that could significantly impact human health, safety, or the environment must be reported immediately upon discovery to the Emergency Coordinator or an Alternate Emergency Coordinator. See Annex 2 of the ICP and the ICP wall chart for contact telephone numbers.

#### **STEP 5 CONDUCT HAZARD ASSESSMENT (INCIDENT COMMANDER)**

Conduct a detailed hazard assessment as follows:

- **Assess** damage to the facility. Check for damage to the following (use checklist provided at the end of this guideline):
  - Power lines and other electrical equipment;
  - High pressure vessels;
  - Gas lines and valves;
  - Basement and other areas subject to flooding; and
  - Hazardous materials and hazardous waste storage areas.
- Identify specific **hazards** associated with flood damage.

**Specific hazards** related to **Floods** are as follows:

##### **FIRE & EXPLOSION HAZARDS**

Fire and explosion hazards caused by equipment damage and/or structural/foundation damage resulting in spills and/or releases in the presence of an ignition source such as an electrical short circuit.

##### **HEALTH & SAFETY HAZARDS**

Health and safety hazards associated with a flood include structural collapse due to loss of structural/foundation integrity, production of toxic gases and other unsafe conditions related to spills and releases.

- For both incidental and uncontrolled fires, refer to the Fire Incident Guideline (**RED TAB**).
- For both incidental and uncontrolled spills or releases, refer to the chemical specific Incident Guidelines (**YELLOW TABS**).

## STEP 6 EXTERNAL NOTIFICATION (INCIDENT COMMANDER)

**INITIATE** external notifications immediately for assistance with medical emergencies. Be prepared to provide these external agencies with information regarding the incident such as name, location, phone number, nature of emergency (type of chemical involved), and number and status of any injured personnel.

### In Case of an Emergency call 9-911

BE PREPARED TO **ESCORT** EMERGENCY PERSONNEL TO THE LOCATION OF THE INCIDENT.

## STEP 7 PREPARE INCIDENT ACTION PLAN (INCIDENT COMMANDER)

With emergency issues such as fire and chemical spills/releases addressed under Step 5, there may be operational conditions associated with flooding that will require actions by Site personnel. These should be planned in accordance with their operational procedures.

## STEP 8 EXECUTE RESPONSE (INCIDENT COMMANDER)

With emergency issues such as fire and chemical spills/releases addressed under Step 5, there may be operational conditions associated with flooding that will require actions by Site personnel. These should be executed in accordance with their operational procedures.

Note: Inspection of the Station following events such as Flood, Earthquake, or Bomb Blast that could result in widespread damage should be included as part of the post-event assessment (see Site Inspection Checklist following this response guideline).

## STEP 9 ADDITIONAL NOTIFICATION (INCIDENT COMMANDER)

### PUBLIC AFFAIRS NOTIFICATION:

As a result of a flood at the PWP facility, notifications to local media may be warranted. Contact the **Public Affairs Department at (XXX) XXX-XXXX** for assistance and refer to the Pioneer Wind Park Crisis Communication Plan in Annex 16 for specific details on

media notifications.

### **CRISIS MANAGEMENT TEAM NOTIFICATION:**

Activation of the Crisis Management Team may be required for floods or other emergencies at the Pioneer Wind Park facility. Notification triggers include:

- A major fire, explosion, acts of nature, vandalism, or other losses of greater than \$100,000;
- An incident at or near a <Wasatch Wind> facility which has resulted in a significant threat to health or safety (whether it involves employees or the public) or to ongoing facility operations.
- An incident which will require unplanned emergency response resource support from outside.
- An incident requiring significant interface with or on-ground presence from regulatory/civil authorities.
- Incidents of wide-spread media interest.

(End of **FLOOD** section)

CHECKLIST FOR INSPECTION OF THE STATION

Inspection of the Station following events such as Flood, Earthquake, or Bomb Blast that could result in widespread damage should be included as part of the post-event assessment. Areas of concern include hazardous materials storage areas, pressure vessels, etc. If any release of hazardous material is discovered, refer to the appropriate tab in the chemical specific Incident Guidelines (**YELLOW TABS**).

<b>AREAS TO BE INSPECTED</b>	<b>Damage?</b>		<b>Uncontained Release?</b>	
	<b>NO</b>	<b>YES</b>	<b>NO</b>	<b>YES</b>
Main Office O & M Building				
- Maintenance and Warehouse Area				
- Office area				
- Oil storage area				
Propane tank				
Sub-Station				
Wind Turbine Generator 1-62				
Pad-Mount Transformer 1-62				
Entrance gate				
Site Access Roads				

OTHER:				
OTHER:				
OTHER:				

Actions Taken: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Inspected by: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REPORT FINDINGS TO **INCIDENT COMMANDER**

### 2.8.3 RESPONSE TO EARTHQUAKE/TORNADO

#### Tornado Planning Procedures:

##### **Definitions**

1. Tornado watch – A tornado watch is issued by the National Weather Service when tornadoes are possible in your area.
2. Tornado warning – A tornado warning is issued by the National Weather Service when a tornado has been sighted or indicated by weather radar.
3. Tornado danger signs:
  - Look out for dark, often greenish sky, wall clouds, large hail, and loud roar (similar to a freight train).
  - Some tornadoes appear as a visible funnel extending only partially to the ground. Look for signs of debris below the visible funnel.
  - Some tornadoes are clearly visible, while others are obscured by rain or nearby low-hanging clouds.
  - Before a tornado hits, the wind may die down and the air may become very still.
  - An approaching cloud of debris can mark the location of a tornado even if a funnel is not visible.
  - Tornadoes generally occur near the trailing edge of a thunderstorm. It is not uncommon to see clear, sunlit skies behind a tornado.

##### **Planning Procedures**

1. Designate a safe area to gather in the event of a tornado warning. Provide training so that everybody at the facility understands where they should go. For the Pioneer Wind Park facility, a tornado shelter has been constructed. It is located beside the O&M building on the XXXX side.
2. Purchase a weather radio for the server-room so that technicians have current information. Ensure that technicians are familiar with warnings commonly used on weather radio frequencies.
3. Ensure that technicians communicate with Site managers and/or other incident commanders when tornado watches or warnings are announced on the radio.

##### **When a Tornado Strike is imminent**

1. Initiate shutdown procedure for Site.
2. All personnel should move to the designated safe area.
3. Stay away from windows, move to the center of rooms, away from corners as they tend to attract debris.
4. If possible, get under a sturdy piece of furniture or workbench and hold onto it.
5. Use arms to protect head and neck.

6. If in a car, get out immediately and take shelter in the nearest building. If there is no time to get indoors, get out of the car and lie down in a ditch or low-lying area away from the vehicle. Be aware of the potential for flooding.

## RESPONSE TO EARTHQUAKE/TORNADO

Procedures to follow in the event of an earthquake or tornado are provided below.

IN THE EVENT THAT A DAMAGING EARTHQUAKE OR TORNADO HAS OCCURRED, THE FOLLOWING **INITIAL RESPONSE** STEPS WILL BE CARRIED OUT OR DELEGATED BY THE INCIDENT COMMANDER WHO IS FAMILIAR WITH AND FULLY TRAINED IN THIS ICP AND IN INCIDENT COMMAND SYSTEM PROCEDURES.

### STEP 1 IMPLEMENT INCIDENT COMMAND SYSTEM (SITE O&M MANAGER)

The Site O&M Manager assumes the position of Incident Commander upon onset of an earthquake or tornado. The Incident Commander initiates implementation of the Incident Command System per Annex 3 and completes the Incident Response Checklist per Annex 6.

The Incident Commander will conduct a **HEAD COUNT** by the most expedient means available as soon as the earthquake has subsided or danger from the tornado has passed.

### STEP 2 DISPATCH FIRST RESPONDER (INCIDENT COMMANDER)

The Incident Commander dispatches the **First Responder(s)**. The First Responders must be fully trained and qualified to perform the functions described in Step 3. The incident commander and first responder will communicate via a 2-way radio system (**Channel 1**).

### STEP 3 FIRST RESPONDER ACTIONS (FIRST RESPONDER)

- **APPROACH** the incident area(s) with caution and evaluate the scene(s) to ensure safe entry. If unsafe work conditions are encountered (i.e., fire, risk of explosion or other immediate danger to life and health is encountered), the First Responder(s) will leave the area(s) at once and will notify the Incident Commander of conditions encountered. Based on the severity of the conditions observed, the Incident Commander has the authority to call for **EVACUATION** of the facility (refer to the Evacuation Plan - **GREEN TAB**). The evacuation alarm should be sounded, if possible, or evacuation can be initiated by word of mouth. A **HEAD COUNT** will be conducted at the Primary Evacuation Assembly Area.

If safe entry into the area is possible, the First Responder will report back to the Incident Commander on conditions encountered and will perform the following tasks, as necessary:

- **ATTEND** to injured personnel if safe to do so (see First-aid below).

**SPECIFIC FIRST-AID: DO NOT** move injured personnel unless they are in immediate danger of further injury. Keep the victim quiet and maintain normal body temperature. Seek medical assistance promptly (refer to Medical Emergency Guideline — **BLUE TAB**).

- **EVACUATE** surrounding area(s), as necessary.
- **BARRICADE** area(s) from safe distance and deny entry, as necessary.
- **MITIGATE** emergencies if the First Responder is qualified and it is safe to do so.

#### **STEP 4 NOTIFY EMERGENCY COORDINATOR AND KEY SITE PERSONNEL (INCIDENT COMMANDER)**

Hazards resulting from an earthquake or tornado that could significantly impact human health, safety, or the environment must be reported immediately upon discovery to the Emergency Coordinator or an Alternate Emergency Coordinator. See Annex 2 of the ICP and the ICP wall chart for contact telephone numbers.

#### **STEP 5 CONDUCT HAZARD ASSESSMENT (INCIDENT COMMANDER)**

Conduct a detailed hazard assessment as follows:

- **ASSESS** damage to the facility. Check for damage to the following (use checklist provided at the end of the **RESPONSE TO FLOOD** guideline):
  - Power lines and other electrical equipment;
  - High pressure vessels;
  - Gas lines and valves;
  - Basement and other areas subject to flooding; and
  - Hazardous materials and hazardous waste storage areas.
- Identify specific **hazards** associated with the facility damage.

**Specific hazards related to Earthquakes/Tornadoes** are as follows:

##### **FIRE & EXPLOSION HAZARDS**

Fire and explosion hazards caused by a combination of factors including damage to equipment and infrastructure resulting in spills and/or release and the presence of ignition sources such as electrical shortages.

**HEALTH & SAFETY HAZARDS**

Health and safety hazards associated with earthquakes/tornadoes include building collapse due to loss of structural integrity, aftershocks, production of toxic gases and other unsafe conditions related to spills and releases.

- For both incidental and uncontrolled fires, refer to the Fire Incident Guideline (**RED TAB**).
- For both incidental and uncontrolled spills or releases, refer to the chemical specific Incident Guidelines (**YELLOW TABS**).

**STEP 6 EXTERNAL NOTIFICATION (INCIDENT COMMANDER)**

**INITIATE** external notifications immediately for assistance with medical emergencies. Be prepared to provide these external agencies with information regarding the incident such as name, location, phone number, nature of emergency (type of chemical involved), and number and status of any injured personnel.

**In Case of an Emergency call 9-911**

BE PREPARED TO **ESCORT** EMERGENCY PERSONNEL TO THE LOCATION OF THE INCIDENT(S).

**STEP 7 PREPARE INCIDENT ACTION PLAN (INCIDENT COMMANDER)**

With emergency issues such as fire and chemical spills/releases addressed under Step 5, there may be operational conditions associated with an earthquake or tornado that will require actions by Site personnel. These should be planned in accordance with their operational procedures.

**STEP 8 EXECUTE RESPONSE (INCIDENT COMMANDER)**

With emergency issues such as fire and chemical spills/releases addressed under Step 5, there may be operational conditions associated with an earthquake or tornado that will require actions by Site personnel. These should be executed in accordance with their operational procedures.

Note: Inspection of the Station following events such as Flood, Hurricane, Earthquake, Tornado, or Bomb Blast that could result in widespread damage should be included as part of the post-event assessment. Areas of concern include hazardous materials storage areas, pressure vessels, critical piping, etc. If any release of hazardous

material is discovered, refer to the appropriate tab in the chemical specific Incident Guidelines (**YELLOW TABS**). See checklist immediately following the "Flood Response Section" for specific areas to be inspected and checklist form.

## **STEP 9 ADDITIONAL NOTIFICATION (INCIDENT COMMANDER)**

### **PUBLIC AFFAIRS NOTIFICATION:**

As a result of an earthquake or tornado at the PWP facility, notifications to local media may be warranted. Contact the Public Affairs Department at **(XXX) XXX-XXXX** for assistance and refer to the PWP Crisis Communication Plan in Annex 16 for specific details on media notifications.

### **CRISIS MANAGEMENT TEAM NOTIFICATION:**

Activation of the Crisis Management Team may be required for earthquakes, tornado, or other natural disasters at the PWP facility. Notification triggers include:

- A major fire, explosion, acts of nature, vandalism, or other losses of greater than \$100,000;
- An incident at or near a **Wasatch Wind** facility which has resulted in a significant threat to health or safety (whether it involves employees or the public) or to ongoing facility operations.
- An incident which will require unplanned emergency response resource support from outside.
- An incident requiring significant interface with or on-ground presence from regulatory/civil authorities.
- Incidents of wide-spread media interest.

(End of **EARTHQUAKE/TORNADO** section)

### 2.8.4 RESPONSE TO BOMB THREAT

Anonymous bomb threats are generally intended to disrupt normal business activities rather than to warn employees of the existence of an actual bomb. If a bomb threat is received via the telephone, follow these procedures:

- Do not panic.
- Keep the caller on the phone as long as possible.
- Take the message down word for word.
- Use the following “Bomb Threat Telephone Report” to document the call:

·Report bomb threat to local law enforcement agency:

Converse County Sheriff .....9-911

## BOMB THREAT TELEPHONE REPORT

### Questions to ask

### Exact Wording of the Treat

1. When is the bomb going to explode? \_\_\_\_\_
2. Where is it right now? \_\_\_\_\_
3. What does it look like? \_\_\_\_\_
4. What kind of bomb is it? \_\_\_\_\_
5. What will cause it to explode? \_\_\_\_\_
6. Did YOU place the bomb? \_\_\_\_\_
7. Why? \_\_\_\_\_
8. What is your address? \_\_\_\_\_
9. What is your name? \_\_\_\_\_

Date: \_\_\_\_\_ Time of Call: \_\_\_\_\_ Length of Call: \_\_\_\_\_

Number at which call is received: \_\_\_\_\_

### Caller's Voice (check as appropriate)

### Background Sounds

Male	<input type="checkbox"/>	Slow	<input type="checkbox"/>
Female	<input type="checkbox"/>	Rapid	<input type="checkbox"/>
Unknown	<input type="checkbox"/>	Soft	<input type="checkbox"/>
Normal	<input type="checkbox"/>	Loud	<input type="checkbox"/>
_____ Estimate age		Nasal	<input type="checkbox"/>
Disguised	<input type="checkbox"/>	Slurred	<input type="checkbox"/>
Distinct	<input type="checkbox"/>	Stutter	<input type="checkbox"/>
Accent	<input type="checkbox"/>	ispL	<input type="checkbox"/>
Calm	<input type="checkbox"/>	Raspy	<input type="checkbox"/>
Angry	<input type="checkbox"/>	Ragged	<input type="checkbox"/>
Excited	<input type="checkbox"/>	Cracking	<input type="checkbox"/>
Laughter	<input type="checkbox"/>	Familiar	<input type="checkbox"/>
Crying	<input type="checkbox"/>		

None	<input type="checkbox"/>
Voices	<input type="checkbox"/>
PA System	<input type="checkbox"/>
Music	<input type="checkbox"/>
Street Noises	<input type="checkbox"/>
Office Machines	<input type="checkbox"/>
Factory Machines	<input type="checkbox"/>
Motors	<input type="checkbox"/>
_____ Other	

### Threat Language

Well Spoken	<input type="checkbox"/>
Message read	<input type="checkbox"/>
Message taped	<input type="checkbox"/>
Foul	<input type="checkbox"/>
Irrational	<input type="checkbox"/>
Incoherent	<input type="checkbox"/>

If the voice is familiar, who did it sound like? \_\_\_\_\_  
 Knowledge of Power Plants? None \_\_\_\_\_ Some \_\_\_\_\_ Extensive \_\_\_\_\_  
 Additional comments: \_\_\_\_\_

Signed: \_\_\_\_\_ Printed name: \_\_\_\_\_

The Sheriff's Department will manage the response to the bomb threat upon their arrival with the assistance of Site personnel.

Based on information provided by the caller, the **Site O&M Manager** may decide that operational changes or Site shut-down is justified.

The **Site O&M Manager** also has the authority to call for **EVACUATION** of the facility, which will be done in accordance to the Evacuation Plan (**GREEN TAB**). The evacuation alarm will be sounded to notify personnel. A **HEAD COUNT** will be conducted at the Primary Evacuation Assembly Area.

IN THE EVENT THAT A BOMB HAS EXPLODED IN THE FACILITY, THE FOLLOWING **INITIAL RESPONSE STEPS** WILL BE CARRIED OUT OR DELEGATED BY THE INCIDENT COMMANDER WHO IS FAMILIAR WITH AND FULLY TRAINED IN THIS ICP AND IN INCIDENT COMMAND SYSTEM PROCEDURES.

### **STEP 1 IMPLEMENT INCIDENT COMMAND SYSTEM (SITE O&M MANAGER)**

The Site O&M Manager assumes the position of Incident Commander upon notification of detonation. The Incident Commander initiates implementation of the Incident Command System per Annex 3 and completes the Incident Response Checklist per Annex 6.

### **STEP 2 DISPATCH FIRST RESPONDER (INCIDENT COMMANDER)**

The Incident Commander dispatches the **First Responder(s)**. The First Responder must be fully trained and qualified to perform the functions described in Step 3.

Communications between the Incident Commander and the First Responder will be conducted via two-way radios using **Channel 1**.

### **STEP 3 FIRST RESPONDER ACTIONS (FIRST RESPONDER)**

- **APPROACH** the blast area with caution and evaluate the scene to ensure safe entry. If unsafe work conditions are encountered (i.e., fire, risk of explosion or other immediate danger to life and health is encountered), the First Responder(s) will leave the area at once and will notify the Incident Commander of conditions encountered. Based on the severity of the conditions observed, the Incident Commander has the authority to call for **EVACUATION** of the facility (refer to the Evacuation Plan — **GREEN TAB**). The evacuation alarm will be sounded, if possible, or given by word of mouth

via radio. A **HEAD COUNT** will be conducted at the Primary Evacuation Assembly Area.

If safe entry into the area is possible, the First Responder will report back to the Incident Commander on conditions encountered and will perform the following tasks, as necessary:

- **ATTEND** to injured personnel if safe to do so (see First-aid below).

**SPECIFIC FIRST-AID: DO NOT** move injured personnel unless they are in immediate danger of further injury. Keep victim quiet and maintain normal body temperature. Seek medical assistance promptly (refer to Medical Emergency Guideline — **BLUE TAB**).

- **EVACUATE** surrounding area, as necessary.
- **BARRICADE** area from safe distance and deny entry, as necessary.
- **MITIGATE** emergencies if the First Responder is qualified and it is safe to do so.

#### **STEP 4 NOTIFY EMERGENCY COORDINATOR AND KEY SITE PERSONNEL (INCIDENT COMMANDER)**

Hazards resulting from the bomb blast that could significantly impact human health, safety, or the environment must be reported immediately upon discovery to the Emergency Coordinator or an Alternate Emergency Coordinator. See Annex 2 of the ICP and the ICP wall chart for contact telephone numbers.

#### **STEP 5 CONDUCT HAZARD ASSESSMENT (INCIDENT COMMANDER)**

Conduct a detailed hazard assessment as follows:

- **ASSESS** damage to the facility. Check for damage to the following (use checklist provided at the end of the **RESPONSE TO FLOOD** guideline):
  - Power lines and other electrical equipment;
  - High pressure vessels;
  - Gas lines and valves; and
  - Hazardous materials and hazardous waste storage areas.
- Identify specific **hazards** associated with a bomb blast.

Specific hazards related to **Bomb Blasts** are as follows:

#### FIRE & EXPLOSION HAZARDS

Fire and explosion hazards caused by a combination of factors including damage to equipment and infrastructure resulting in spills and/or release and the presence of ignition sources such as electrical shortages.

#### HEALTH & SAFETY HAZARDS

Health and safety hazards associated with a bomb threat include effects of the blast/pressure wave, flying debris/shrapnel, building collapse due to loss of structural integrity, production of toxic gases and other unsafe conditions related to spills and releases.

- For both incidental and uncontrolled fires, refer to the Fire Incident Guideline (**RED TAB**).
- For both incidental and uncontrolled spills or releases, refer to the chemical specific Incident Guidelines (**YELLOW TABS**).

### STEP 6 EXTERNAL NOTIFICATION (INCIDENT COMMANDER)

**INITIATE** external notifications immediately for assistance with medical emergencies. Be prepared to provide these external agencies with information regarding the incident such as name, location, phone number, nature of emergency (type of chemical involved), and number and status of any injured personnel.

### In Case of an Emergency call 9-911

BE PREPARED TO **ESCORT** EMERGENCY PERSONNEL TO THE LOCATION OF THE INCIDENT.

### STEP 7 PREPARE INCIDENT ACTION PLAN (INCIDENT COMMANDER)

With emergency issues such as fire and chemical spills/releases addressed under Step 5, there may be operational conditions associated with the bomb blast that will require actions by Site personnel. These should be planned in accordance with the operational procedures.

## STEP 8 EXECUTE RESPONSE (INCIDENT COMMANDER)

With emergency issues such as fire and chemical spills/releases addressed under Step 5, there may be operational conditions associated with the bomb blast that will require actions by Site personnel. These should be executed in accordance with the operational procedures.

Note: Inspection of the Station following events such as Flood, Hurricane, Earthquake, Tornado, or Bomb Blast that could result in widespread damage should be included as part of the post-event assessment. Areas of concern include hazardous materials storage areas, pressure vessels, critical piping, etc. If any release of hazardous material is discovered, refer to the appropriate tab in the chemical specific Incident Guidelines (**YELLOW TABS**). See the checklist immediately following the "Flood Response Section" for specific areas to be inspected and checklist form.

## STEP 9 ADDITIONAL NOTIFICATION (INCIDENT COMMANDER)

### PUBLIC AFFAIRS NOTIFICATION:

As a result of a bomb threat at the PWP facility, notifications to local media may be warranted. Contact the **Public Affairs Department at (XXX) XXX-XXXX** for assistance and refer to the PWP Crisis Communication Plan in Annex 16 for specific details on media notifications.

### CRISIS MANAGEMENT TEAM NOTIFICATION:

Activation of the Crisis Management Team may be required for bomb threats, explosions, fires or other emergencies at the PWP facility. Notification triggers include:

- A major fire, explosion, acts of nature, vandalism, or other losses of greater than \$100,000;
- A confirmed hostile action, or a suspect event or threat against a **Wasatch Wind** facility, the electric or gas industry, or a community within which **Wasatch Wind** operates, that has been reviewed by the competent department and found to be credible.
- An incident at or near a **Wasatch Wind** facility which has resulted in a significant threat to health or safety (whether it involves employees or the public) or to ongoing facility operations.
- An incident which will require unplanned emergency response resource support from outside.
- An incident requiring significant interface with or on-ground presence from regulatory/civil authorities.
- Incidents of wide-spread media interest.

(End of **BOMB THREAT** section)

## 2.9 RESPONSE TO MEDICAL/RESCUE EMERGENCY

### 2.9.1 RESPONSE TO MEDICAL EMERGENCY

IN THE EVENT OF A MEDICAL EMERGENCY, EITHER ACCIDENT OR ILLNESS, DO THE FOLLOWING:

IF FIRST AID-TRAINED PERSONNEL ARE NOT ALREADY PRESENT AT THE SCENE, MAKE A GENERAL ANNOUNCEMENT VIA RADIO (CHANNEL 1) INSTRUCTING ALL FIRST AID-TRAINED PERSONNEL TO REPORT TO THE SCENE. (First aid trained personnel should respond to the scene of the incident with appropriate first aid response equipment).

- **CALL** emergency personnel as instructed by First Aid personnel:

#### In Case of an Emergency call 9-911

- **PROVIDE** emergency personnel with information regarding the incident such as name, location, phone number, and number and status of injured personnel.
- Direct available staff to **ESCORT** EMERGENCY PERSONNEL TO THE LOCATION OF THE INCIDENT.
- **NOTIFY** the Emergency Coordinator or an Alternate Emergency Coordinator immediately of any accident, illness or medical emergency. See Annex 2 of the ICP and the ICP wall-chart for contact telephone numbers.
- **COMPLETE** the necessary Accident Reports.

### ADDITIONAL NOTIFICATIONS (INCIDENT COMMANDER)

#### PUBLIC AFFAIRS NOTIFICATION:

As a result of a medical emergency at the PWP facility, notifications to local media may be warranted. Contact the **Public Affairs Department at (XXX) XXX-XXXX** for assistance and refer to the PWP Crisis Communication Plan in Annex 16 for specific details on media notifications.

#### CRISIS MANAGEMENT TEAM NOTIFICATION:

Activation of the Crisis Management Team may be required for certain medical emergencies at the PWP facility. Notification triggers include:

- A fatality occurring at or as a result of a company operation.

- Three or more hospitalizations resulting from a single incident and occurring as a result of a company operation.
- An incident which will require unplanned emergency response resource support from outside.
- An incident requiring significant interface with or on-ground presence from regulatory/civil authorities.
- Incidents of wide-spread media interest.

(End of **MEDICAL EMERGENCY** section)

## 2.9.2 Medical Emergency Response

### STEP 1 IMPLEMENT INCIDENT COMMAND SYSTEM (SITE O&M MANAGER)

The Site O&M Manager assumes the position of Incident Commander upon notification of detonation. The Incident Commander initiates implementation of the Incident Command System per Annex 3 and completes the Incident Response Checklist per Annex 6.

### STEP 2 DISPATCH FIRST RESPONDER (INCIDENT COMMANDER)

Based on information provided by the Incident Discoverer, the Incident Commander dispatches the **First Responder(s)**. The First Responder must be fully trained and qualified to perform the functions described in Step 3.

**Note:** The Incident Discoverer may become the First Responder if fully trained and qualified.

Communications between the Incident Commander and the First Responder will be conducted via two-way radios using **Channel 1**.

The control room should immediately call to request rescue and medical services:

**In Case of an Emergency call 9-911**

### STEP 3 FIRST RESPONDER ACTIONS (FIRST RESPONDER)

- **ASSESS** scene from a safe distance and notify the Incident Commander of any additional details observed regarding the rescue situation.
- **APPROACH** with caution and evaluate the scene to ensure safe entry. **DO NOT ENTER INTO A CONFINED SPACE UNLESS YOU HAVE BEEN TRAINED, EQUIPPED AND HAVE BACK UP!** If unsafe work conditions are encountered (i.e. fire or other immediate danger to life and health is encountered), the First Responder will leave the incident area at once. The responder should withdraw to a safe location and await further assistance.
  - If safe entry into the area is possible, the First Responder will report back to the Incident Commander on conditions encountered and will perform the following tasks, as necessary:
- **UTILIZE** Self Rescue systems or retrieval equipment if available to retrieve a victim from a confined space or fall incident without entering the space.

- **ATTEND** To victims and provide basic first aid if the patients are accessible.

**SPECIFIC FIRST AID:**

**Neck/Spine Injury:** If spinal or neck injury is suspected, minimize the movement of the patient unless the head, spine and neck are supported. First responders should only move the patient under the direction of trained medical response personnel or in the event that the life safety of the patient is at risk if they remain in the area (refer to Medical Emergency Guideline — **BLUE TAB**).

**Post Suspension Trauma:** If there is an arrested fall and the subject(s) have been suspended vertically for longer than 5 minutes, techniques related to deterring “REFLOW SYNDROME” must be utilized. All high angle rescuers must be trained in the above techniques (The techniques can be found on the last 2 pages of this response).

**Chemical Contact:** Remove contaminated clothing. Wash exposed area with a large quantity of soap solution or water for 15 minutes. Immediately contact physician. Consult the appropriate tab of the ICP for the chemical involved in the incident.

**Inhalation:** Remove victim from contaminated area to fresh air. Apply appropriate first aid treatment as necessary. Immediately contact physician.

- **EVACUATE** surrounding area, as necessary if a fall hazard exists.
- **BARRICADE** area from safe distance and deny entry, as necessary.
- **PROVIDE ASSISTANCE** if safe to do so and First Responder is qualified.

#### **STEP 4 NOTIFY EMERGENCY COORDINATOR AND KEY SITE PERSONNEL (INCIDENT COMMANDER)**

Any medical emergency or rescue situation must be reported immediately upon discovery to the Emergency Coordinator or an Alternate Emergency Coordinator. See Annex 2 of the ICP and the ICP wall-chart for contact telephone numbers.

#### **STEP 5 CONDUCT HAZARD ASSESSMENTS (INCIDENT COMMANDER)**

Based on the information provided by the Incident Discoverer and the First Responder, conduct a detailed hazard assessment as follows:

- Identify exact **location** of the rescue and the circumstances for the event.

- Determine the number of victims involved in the incident.
- Assess the operating status of the Site and determine if equipment or units must be shut down for the safety of the personnel involved in the incident.

**Type of Rescue:** Determine if the rescue is a confined space or high angle rescue. Notify the incoming assistance of the situation.

\* **PROPERLY TRAINED PERSONNEL** include those employees that have successfully completed training in incident discovery, hazard communication, Integrated Contingency Plan, First Aid/CPR/AED, High Angle Rescue, and Use of personal protective equipment / decontamination procedures.

## STEP 6 EXTERNAL NOTIFICATIONS (INCIDENT COMMANDER)

Verify that the control room has called for outside rescue assistance. Be prepared to provide these responding agencies with information regarding the incident such as name, location, phone number, nature of the rescue (type of chemical involved, if applicable), and status of any injured personnel.

BE PREPARED TO **ESCORT** EMERGENCY PERSONNEL TO THE LOCATION OF THE INCIDENT.

## STEP 7 PREPARE INCIDENT ACTION PLAN (INCIDENT COMMANDER)

- **PLAN** a response to the rescue.
- **IDENTIFY** necessary personnel and equipment to assist the response agency for the rescue

## STEP 8 EXECUTE RESPONSE (INCIDENT COMMANDER)

For rescue emergencies, **EXECUTE** the plan as follows:

- **MOBILIZE** necessary personnel and equipment.
- **SHUT OFF** operating equipment in the area if necessary to ensure safety to the victim(s) and /or responders.
- **SECURE SCENE** - Do not move anything or anyone unless it's to assist the injured and/or to make the scene safe. This is to assist investigators in retrieving first-hand information.

- **VENTILATE** confined spaces while awaiting the rescue.
- **ASSIST** Outside rescue personnel with information, manpower and equipment as necessary.

## STEP 9 ADDITIONAL NOTIFICATIONS (INCIDENT COMMANDER)

### PUBLIC AFFAIRS NOTIFICATION:

As a result of an emergency rescue at the PWP facility, notifications to local media may be warranted. Contact the Public Affairs Department at (XXX) XXX-XXXX for assistance and refer to the PWP Crisis Communication Plan in Annex 16 for specific details on media notifications.

### CRISIS MANAGEMENT TEAM NOTIFICATION:

Activation of the Crisis Management Team may be required for certain medical emergencies at the PWP facility. Notification triggers include:

- A fatality occurring at or as a result of a company operation.
- Three or more hospitalizations resulting from a single incident and occurring as a result of a company operation.
- An incident which will require unplanned emergency response resource support from outside.
- An incident requiring significant interface with or on-ground presence from regulatory/civil authorities.
- Incidents of wide-spread media interest.

For activation of the Crisis Management Team, contact Corporate Communication at X-XXX-XXX-XXXX.

**Complete** the appropriate accident reports following the incident. Forward the accident report to the appropriate management personnel.

**Conduct** a critique of the response to the incident and document for the Site files.

**Suspension Trauma Recovery Techniques** are on the following pages

## Suspension Trauma Recovery Techniques

In the event of a fall and when a person may not be able to self-rescue, the following guidelines should be followed to minimize further injury through suspension trauma.

As soon as a fall takes place, the work at height rescue plan must be put into immediate effect and emergency services should be contacted if specialist attention is required.

### Pre Rescue Action

If able to do so, the suspended casualty should be encouraged to use the following techniques to reduce the risks from suspension trauma:

- If the person who is suspended is un-injured and is fully conscious, they should be encouraged to mobilize all four limbs, i.e. by flexing the leg muscles, until they can be brought to a position of safety. This will help to maintain the circulation.
- Frequent 'pumping' of the legs against a firm surface will also activate the muscles and improve blood circulation.

### Post Rescue Action

Following any suspension, once the casualty has been rescued:

- Wherever possible, the casualty is best managed:
  - In the seated position if **FULLY CONSCIOUS** and **MOBILE**



The subject **MUST** be kept in this recovery position for **AT LEAST THIRTY** minutes.

OR

- If the casualty is **UNCONSCIOUS**, or cannot maintain a seated position, then they are best managed in an inclined position, with the head at the highest point of the body, at about 20 degrees and steps taken to ensure their airway is open, until the emergency services are in attendance.



The subject **MUST** be kept in this recovery position for **AT LEAST THIRTY** minutes.

**The casualty must NEVER be laid flat in a horizontal position after being rescued from suspension.**

- Prevent the patient from trying to walk.
- Advise the ambulance service that the patient needs to be treated for suspension trauma (medical term: orthostatic shock or intolerance, which should be treated similarly to crush injuries).
- ALL personnel who have been suspended in an arrested fall should be treated as a medical emergency and immediate medical attention sought, even if they feel ok!

(End of **EMERGENCY RESCUE** section)

## 2.10 EMERGENCY EVACUATION PLAN

### Section I: Purpose and Objectives

Potential emergencies at the Pioneer Wind Park I & II (PWP), such as fire, explosion, chemical spills and releases, and all other emergencies may require that personnel evacuate the facility. An Emergency Evacuation Plan (EEP) and adequate occupant familiarity with the facility minimize threats to life and property. In addition, the Occupational Safety and Health Administration (OSHA) Emergency Action Plan standard, found at 29 CFR 1910.38(a), requires that PWP have a written EEP. This plan applies to all emergencies where personnel may need to evacuate for personal safety.

This EEP is intended to communicate the policies and procedures for personnel to follow in an emergency evacuation situation. The Emergency Coordinator should make this written plan available to personnel upon their being hired and starting work at PWP.

XXX XXXXXX is the Emergency Coordinator for this facility and has overall responsibility for the preparation and implementation of this plan.

XXX XXXXXX and XXX XXXXXX are the Alternate Emergency Coordinators.

The Emergency Coordinator (or the alternate Emergency Coordinator by delegation) will review and update the plan as necessary. Copies of this plan will be maintained by the Emergency Coordinator as part of the PWP ICP. Controlled copies of the ICP will be issued to controlled copy holders as listed in Table 3 of the Plan Introduction Elements. Three (3) copies will reside at the PWP facility, which include one with the Emergency Coordinator, one with each of the Alternate Emergency Coordinators.

### Section II: General Guidelines

The following guidelines apply to this EEP:

- All personnel must be trained in safe evacuation procedures. Refresher training is provided during the annual evacuation drill or whenever the plan itself is changed.
- The training should include use of floor plans and workplace maps that clearly show the emergency escape routes included in the EEP. Floor plans and maps should be posted at all times in main areas of the facility to provide guidance in an emergency.

- No employee is permitted to re-enter the facility until advised by the Fire Department and authorized by the Incident Commander, Emergency Coordinator, or Site O&M Manager.

### **SECTION III: Responsibilities of the Emergency Coordinator (or Alternate Emergency Coordinator by delegation)**

The Emergency Coordinator is responsible for:

- Obtaining and posting floor plans and route evacuation maps.
- Overseeing the communication, implementation, and maintenance of the overall EEP.
- Ensuring the training of site personnel and notifying all personnel of changes to the plan.
- Maintaining up-to-date lists of personnel, including temporary employees.
- Designating new Evacuation Assembly Areas as the need may arise.

### **SECTION IV: Alerting or Signaling Personnel In Case Of Evacuation**

Pioneer Wind Park I & II uses verbal communication to alert personnel of an emergency situation. All technicians carry either a cell phone or portable two-way radio for continuous communication with either the Site O&M Manager or OEM Manager. All other personnel will be notified by face-to-face communication at the O&M building. A requested evacuation requires an immediate evacuation of the facility by all personnel.

### **Section V: Evacuation Procedures for Facility**

When the evacuation is initiated, all personnel should ensure that nearby personnel are aware of the emergency, quickly secure any work that might be a hazard otherwise, close doors, and exit the structure by the closest safe exit.

All occupants should proceed immediately and by the safest route to the Evacuation Assembly Area (Primary or secondary evacuation assembly area as announced verbally and over the 2-way radios) and await further instructions.

All personnel should know where primary and alternate exits are located, and be familiar with the various evacuation routes available. Floor plans with escape routes,

alternate escape routes, and exit locations, are posted in the building. Once out of the buildings, the evacuation routes to the assembly areas are illustrated on Figure 2 in Annex 1.

### **Section VI: Disabled Occupants**

If a disabled occupant is unable to exit a building unassisted, personnel in the area shall assist that person in evacuating the site.

### **Section VII: Operations Shutdown**

The Incident Commander/Site O&M Manager will decide if a Site Shutdown is necessary as part of an evacuation. If this is deemed necessary, staff required to accomplish this may be directed to delay evacuation to perform the shutdown. Emergency shutdown of the facility will be completed according to procedures in the facility operations plan (Site Operations Manual). Upon completion of the shutdown, these personnel should evacuate the facility at the direction of the Incident Commander/Site O&M Manager.

### **Section VIII: Accountability Procedures for Emergency Evacuation**

**Evacuation Assembly Areas:** The evacuation plan diagram provided in Annex 1 (Figure 2) designates a primary and secondary evacuation assembly area. The primary assembly area is the default location for all personnel. Should the primary assembly area be undesirable due to smoke, fire, or other barriers or safety hazards, personnel should gather at the secondary evacuation assembly area.

**Facility Organization List:** The Emergency Coordinator will maintain an up-to-date roster of personnel. This list shall be consulted at the Evacuation Assembly Area to ensure that everyone has evacuated. The list will be updated whenever there is a personnel change. The Emergency Coordinator may delegate the head count at the time of the evacuation, as he/she may be occupied in other duties related to the emergency. It will be that person's responsibility to report the names of any personnel that are missing (including contractors and/or visitors) from the head count immediately to the Emergency Coordinator.

All personnel shall remain in the assembly area, if it is safe to do so, unless directed otherwise by the Emergency Coordinator or his/her representative. Should it become necessary to deploy personnel as part of a response to the emergency that prompted the evacuation, the Emergency Coordinator shall maintain a running listing of those personnel.

Visitors on-site shall be required to sign in at the administration building so that in the

event of an evacuation, a list of visitors is available to personnel conducting a head count at one of the evacuation areas.

Contractors on-site must also maintain a list of their personnel so that all contract employees can be accounted for in a facility evacuation.

### **Section IX: Rescue and Medical Duties**

There may be injured persons in the Evacuation Assembly Area. Only personnel who are current in their first aid training certification should perform first aid. Should there be an absence of trained personnel, then those present should perform whatever comfort and aid is within their capabilities and nothing more. The Fire Department, Police Department, or Emergency Medical Technicians will conduct all rescue and medical duties beyond first aid.

### **Section X: Training and Communications**

Each occupant should be aware of the notification system that initiates the need for an evacuation and what his/her role is in carrying out the plan. As discussed above, the PWP notification system consists of verbal communication with cell phones and two-way radios. Personnel should also know what is expected of them during an emergency to assure their safety. Training on the EEPs content is also required by OSHA 29 CFR 1910.38(a). Training requirements are discussed in Annex 5.

A method of training building occupants in the requirements of the emergency evacuation plan is to give all personnel a thorough briefing and demonstration upon the creation of or amendment to the plan and for new hires. Annual practice drills are to be implemented and documented by the Emergency Coordinator.

All PWP personnel will be informed of and trained in:

- The plan's purpose;
- Notification system;
- Emergency escape procedures and route assignments;
- Procedures to be followed by personnel who remain to control critical Site operations before they evacuate;
- Procedures to account for all personnel (including visitors and contractors) after emergency evacuation has been completed, and
- Rescue and medical duties for those personnel who perform them.

The Emergency Coordinator should maintain records of this training for a period of three (3) years. A record of this training should also be placed in each employee's personnel record.



### 3.0 SUSTAINED ACTIONS

In most instances, the emergency response will be sufficient to achieve closure of the incident. In rare instances where a release has reached the environment, more complete or long-term cleanup activities may be required. It is most appropriate to conduct these cleanup activities as sustained actions rather than as emergency response actions. The initiation of sustained actions signal the transition from emergency response and the associated incident command structure to more prolonged mitigation and recovery actions under the associated project management structure.

#### 3.1 TRANSITION

Transition from emergency action to sustained action shall include the following:

- Determination that the IAP prepared in Step 7 of the incident-specific response guidelines has been executed as outlined in Step 8;
- Mobilization of personnel and resources necessary for conduct of sustained action;
- Demobilization of emergency responders and their equipment. As the IAP is carried out and as the sustained action team is put in place, emergency responders can be relieved and demobilize from the site; and
- Transfer of responsibility from Incident Commander to the designated Sustained Action Project Manager. An orderly transfer will require that the Incident Commander provide an accurate account of the incident to the Project Manager. This should be accompanied by all relevant plans, documents, and field logs.

#### 3.2 SUSTAINED ACTIONS

On-going or sustained actions typically involve:

- Characterization and assessment;
- Removal actions for obviously damaged equipment or contaminated materials;
- Design of remediation; and

- Performance-based remediation, clean-up, restoration and/or demolition and reconstruction.

A third party environmental consultant will be retained to conduct sustained cleanup actions. They will be responsible for documentation of activities, feasibility evaluations, remedial design, remedial action, agency liaison, and cost control. A remedial contractor is then selected and hired to conduct fieldwork. The Site Manager or designated Pioneer Wind Park I & II staff member who is knowledgeable of the incident shall act as the owner's representative and coordinate with the contractors.

## 4.0 TERMINATION AND FOLLOW UP ACTIONS

As discussed in Section 3.0, complete execution of the IAP is the criteria for termination of an emergency response action. However, the Incident Commander's responsibilities are not fulfilled until follow-up analysis, critique, and reporting of the incident has been conducted. The Incident Commander may delegate this task to another qualified PWP staff member.

### 4.1 TERMINATION

Upon termination of emergency response actions, the Incident Commander must ensure that the following actions are completed:

- Emergency response equipment has been properly decontaminated;
- Items expended during the emergency response have been re-supplied and replaced;
- Equipment and instruments have been repaired and tested; and
- Worn or damaged equipment has been replaced.

### 4.2 FOLLOW UP ACTIONS

Follow-up actions associated with termination of a response include the following:

- Follow-up reporting (Annex 4);
- Incident investigation and response critique (Annex 6); and
- Plan review and updating.

Follow-up reporting consists of the following, as appropriate:

- Preparation and submittal of the SPCC and CERCLA/SARA Incident Reports to comply with the requirements of 40 CFR 112 and 302 for discharges of oil or hazardous substances in excess of their Reportable Quantity. These reports are typically submitted to the EPA Regional Administrator and the Ohio EPA Division of Emergency and Remedial Response within 60 days of the spill event.

Incident investigation and response critique will be conducted for each incident that requires implementation of the ICP. The PWP Emergency Response Incident Record

will be completed for each incident, as appropriate (Annex 6). Completed Emergency Response Incident Records will be inserted chronologically at the back of Annex 6 and retained for a minimum of five years. The Emergency Response Incident Records must be inserted into all copies of the PWP ICP as listed in Table 3, List of Controlled Copy Holders. Incident investigation and response critique will be initiated as soon as possible but not later than 48 hours following the incident. The Incident Response Checklist (provided in Annex 6) that is completed during any incident may aid the Emergency Coordinator in completing the Emergency Response Incident Record.

Procedures for plan review and revision are detailed in Section 3.0 of the Plan Introduction Elements.

## SECTION III ANNEXES

ANNEX 1	FACILITY AND LOCALITY INFORMATION
ANNEX 2	NOTIFICATIONS
ANNEX 3	RESPONSE MANAGEMENT SYSTEM
ANNEX 4	RESERVED
ANNEX 5	TRAINING AND EXERCISES/DRILLS
ANNEX 6	RESPONSE CRITIQUE AND PLAN REVIEW AND MODIFICATION PROCESS
ANNEX 7	RESERVED
ANNEX 8	REGULATORY COMPLIANCE AND CROSS-REFERENCE MATRICES
ANNEX 9	STORAGE TANK INVENTORY
ANNEX 10	RESPONSE EQUIPMENT/SUPPLIES CHECKLIST
ANNEX 11	ACRONYMS AND DEFINITIONS
ANNEX 12	REFERENCES
ANNEX 13	SPILL PREVENTION CONTROL AND COUNTERMEASURES PLAN
ANNEX 14	STORMWATER POLLUTION PREVENTION PLAN
ANNEX 15	SECURITY PLAN
ANNEX 16	CRISIS COMMUNICATIONS PLAN

## ANNEX 1 FACILITY AND LOCALITY INFORMATION

LIST OF FIGURES	
FIGURE NUMBER	FIGURE TITLE
Figure 1	Pioneer Wind Park I & II and Surrounding Community
Figure 2	Emergency Evacuation Routes, Locations of Emergency Equip.
Figure 3	Integrated Contingency Plan Wall Chart

Figure 1. Pioneer Wind Park I & II and surrounding community.

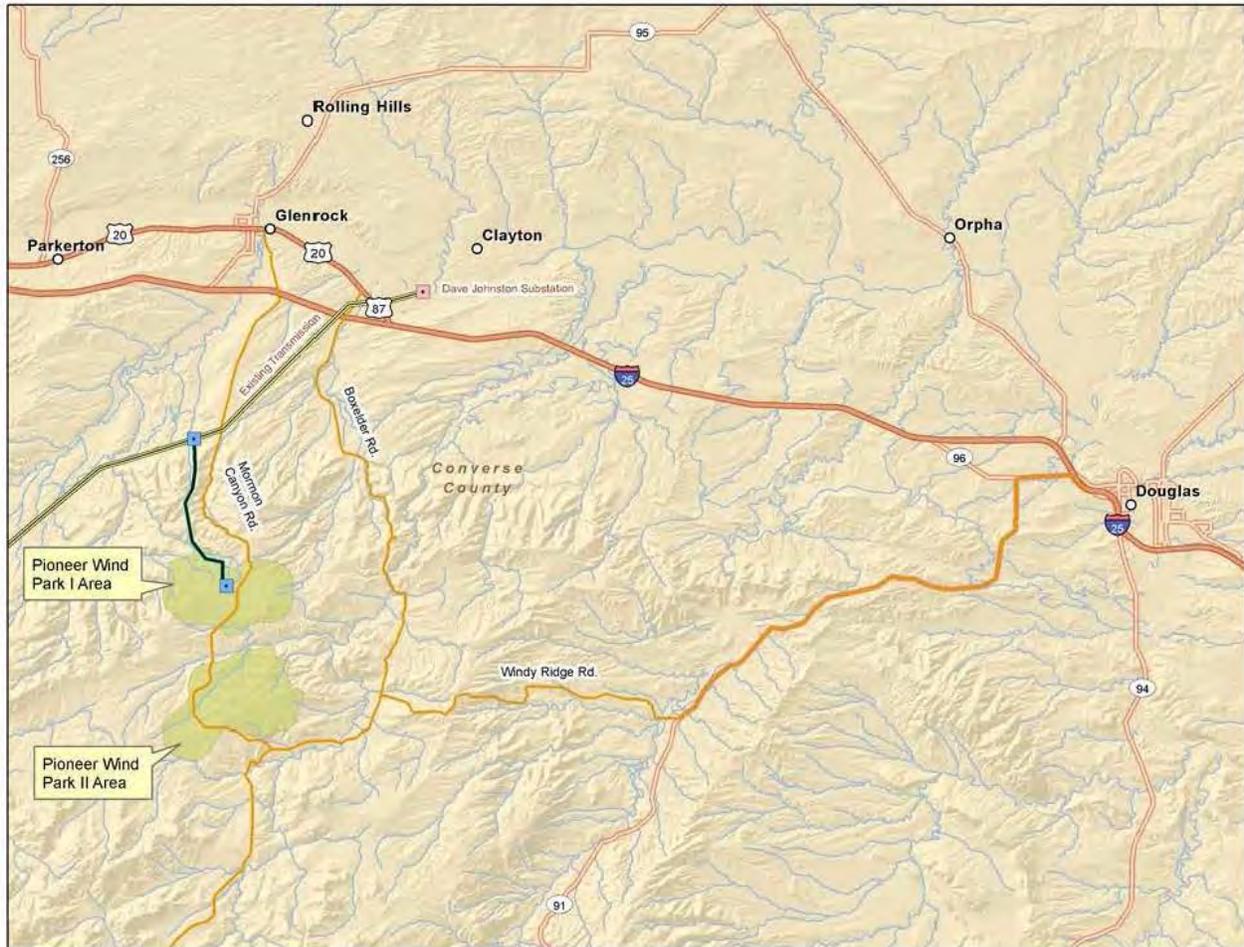


Figure 2. Emergency Evacuation Routes, Locations of Emergency Equipment

<INSERT O&M BUILDING EVACUATION ROUTE HERE>

INTERNAL NOTIFICATIONS			
TITLE	CONTACT NAME	TELEPHONE	FAX
Operations Manager	XXX XXXXXX	Office: XXX-XXX-XXXX Cell: XXX-XXX-XXXX	XXX-XXX-XXXX
WWI Technician	XXX XXXXXX	Office: XXX-XXX-XXXX Cell: XXX-XXX-XXXX	XXX-XXX-XXXX
OEM Manager	XXX XXXXXX	Office: XXX-XXX-XXXX Cell: XXX-XXX-XXXX	XXX-XXX-XXXX
EMERGENCY NOTIFICATIONS			
Glenrock Fire Department	City of Glenrock	911 Non-Emergency 307-436-9745	-
Glenrock Police Department	City of Glenrock	911 Non-Emergency 307-436-2777	-
Converse County Sheriff	Dispatcher	911	-
Converse County Emergency Management	Russ Dalgarn, Coordinator	307-358-6880	rdalgarn@conversecountyem.com
Converse County Local Emergency Planning Committee (LEPC)	Diena Bulman	307-358-6880	dbulman@netcommander.com
Wyoming Medical Center	1233 E 2 <sup>nd</sup> St Casper, WY 82601	307-577-7201	N/A

TITLE	CONTACT NAME	TELEPHONE	FAX
<b>LOCAL NOTIFICATIONS</b>			
Primary Spill Response Contractor	Safety Kleen	307.265.7795	N/A
Alternate Spill Cleanup Contractor	Trihydro Corp.	307.745.7474	N/A
Waste Analysis	Wyoming Analytical Labs, Inc.	307-742-7995	N/A
<b>FEDERAL &amp; STATE NOTIFICATIONS</b>			
State Emergency Response Commission (SERC)	Don Huber, SERC Chair	307-682-5319	N/A
Wyoming Department of Environmental Quality	WDEQ Duty Officer	Reporting Spills 307-777-7781	N/A
National Response Center 24-hr Hotline	N/A	800-424-8802	N/A
Wyoming Office of Homeland Security	Rob Cleveland	307-633-4333	NA
Wyoming State Fire Marshall	N/A	614-752-8200	N/A
Wyoming Department of Transportation	N/A	614-444-8662	N/A
United States Environmental Protection Agency, Region 8	N/A	In State: 800-227-8917 Out of State: 303-293-1788	N/A

## ANNEX 3 RESPONSE MANAGEMENT SYSTEM

### A3-1 GENERAL

Pioneer Wind Park I & II (PWP) will follow the principles of the National Interagency Incident Management System (NIIMS) Incident Command System (ICS) for responding to Site emergencies. The ICS provides a model tool for command, control, and coordination of any emergency response, including hazardous materials releases, fires, floods, tornadoes, earthquakes, and medical emergencies. It provides a means for coordinating the efforts of internal Site personnel and resources and external organizations and agencies that may be involved. Depending on the type and size of the incident, ICS consists of five major components:

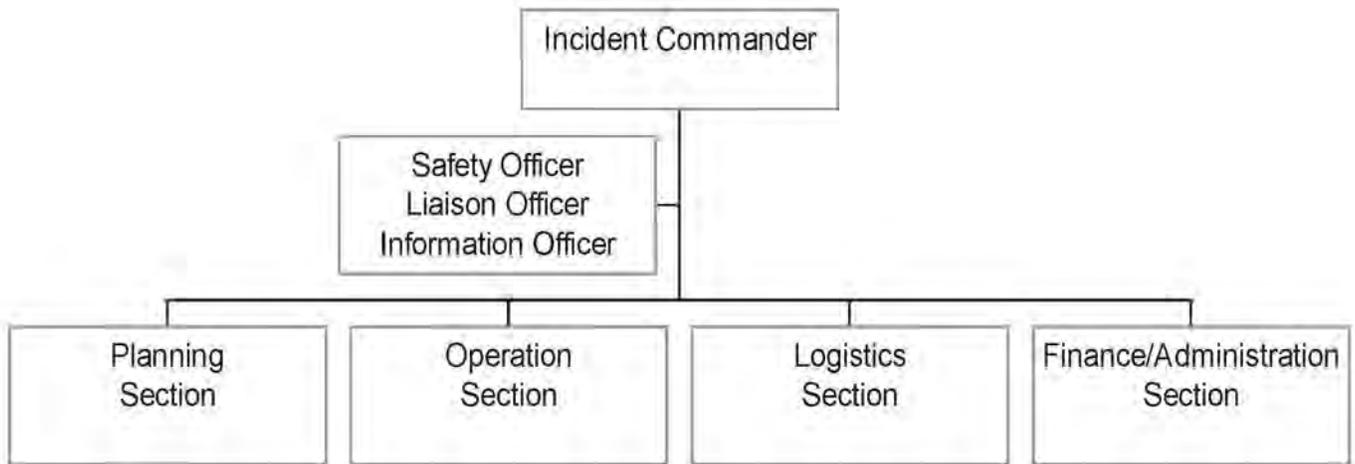
- Command,
- Planning,
- Operations,
- Logistics, and
- Finance/Administration.

Each of these components is discussed in detail in the following sections.

Figure A3-1 provides an organization chart for a typical ICS organization. At its most basic level, ICS consists of an Incident Commander. The Incident Commander is defined as the single responsible person who is charged with overall control of the command system. The Incident Commander provides direction to a group of team members in accordance with a plan that includes prescribed personnel functions, procedures, equipment, and communications.

The ICS organization has the capability to expand or contract to meet the needs of an incident. The Incident Commander assigns personnel to fill additional roles, as needed. These additional roles include Safety, Liaison, and Information Officers; and Planning, Operation, Logistics, and Finance/Administration Supervisors (Figure A3-1). Due to the limited number of personnel on staff at Pioneer Wind Park I & II, one individual may assume the responsibilities of more than one ICS role.

Figure A3-1. ICS Organization



## **A3-2 COMMAND**

### **A3-2.1 Incident Commander**

The Incident Commander is responsible for overall incident response activities. Roles of the Incident Commander are as follows:

- Activate elements of the ICS (establish command post and staging area) and delegate required functions, as necessary;
- Initiate Evacuations;
- Ensure safety of personnel and provide first aid to injured personnel, if safe to do so;
- Control and secure of the scene of the incident;
- Assess the nature of the incident and conduct initial briefing(s) of on-scene personnel;
- Contact the Emergency Coordinator and contact outside emergency responders as needed (Fire Department, Hazardous Materials Team, Emergency Medical Services, Police Department, Emergency Response Contractor) (refer to the Incident-Specific Response Guidelines in Sections 2.7 and 2.8 of the ICP Core Plan Elements for contact numbers);
- Coordinate the development of an incident-specific IAP and authorize implementation of the plan; and
- Manage incident response operations.

Upon discovery of an incident, the Site O&M Manager, Lead Wind Technician, or OEM Manager on-duty assumes the role of Incident Commander. The incident commander is contacted and notified of an incident through the PWP radio communication system using Channel 1 or cell phone. (refer to Section 1.0 of the Core Plan Elements for detailed information on incident discovery). There are three possible incident commanders at PWP:

1. Site O&M Manager,
2. Lead Wind Technician, and
3. OEM Manager

Depending on the nature and scope of the incident, the initial Incident Commander may relinquish command to another. Table A3-1 lists all individuals qualified to act as Incident Commander.

**Table A3-1: Summary of PWP Incident Commanders**

<b>Name/Position</b>	<b>Office Phone</b>	<b>Cell Phone</b>
XXX XXXXXX - Operations Manager	XXX-XXX-XXXX	XXX-XXX-XXXX
XXX XXXXXX – Lead Wind Tech	XXX-XXX-XXXX	XXX-XXX-XXXX
XXX XXXXXX – OEM MGR	XXX-XXX-XXXX	XXX-XXX-XXXX

In the event of a fire or an uncontrolled release, Incident Command duties will be jointly performed with a qualified individual within the appropriate emergency response entity such as the Fire Department or the Emergency Response Contractor.

### **A3-2.1.1 Command Post**

A command post is needed for efficient scene management, communication, coordination, and control of the incident. Establishment of the Command Post is one of the initial duties of the Incident Commander. The size and nature of the command post will depend on the nature and magnitude of the incident. Following are issues to be considered when establishing a Command Post:

- Establish Command Post immediately;
- Make Command Post easily identifiable (cones on a car roof, markers, flags, etc.);
- Locate Command Post upwind and updrift of the incident;
- Make Command Post accessible to incoming emergency equipment and personnel; and
- Control access to the Command Post by denying entry to any people peripheral to the overall effort.

Relocate Command Post if necessary in case of shifting winds, incident escalation, availability of better facilities, problems with communications, need for additional space, or inability to provide security at initial location.

### **A3-2.1.2 Staging Area**

The staging area is a location near the Command Post where responding personnel report with their equipment to await direction from the Incident Commander. The size must be large enough to accommodate all equipment expected to respond to the scene.

### **A3-2.1.3 ICS Functions (Roles)**

Beside the Incident Command functions described above, several additional ICS functions are included in the Organization Chart illustrated in Figure A3-1. Additional ICS roles include the following:

- Information Officer,
- Safety Officer,
- Liaison Officer,
- Planning Supervisor,
- Operations Supervisor,
- Logistics Supervisor, and
- Finance/Administration Supervisor.

Roles of each of the ICS components are described in the following sections. The Incident Commander is ultimately responsible for smooth operation of all ICS components. Depending on the nature and scope of the incident, the Incident Commander may delegate responsibilities to officers and/or section supervisors as required (Figure A3-1). For smaller incidents, the incident commander may choose to assume some or all of the responsibilities.

### **A3-2.2 Information**

All internal and external communications will be disseminated by the Information Officer. At PWP, it is anticipated that the Incident Commander will assume the role of the Information Officer. However, the Incident Commander may choose to delegate the responsibilities of the Information Officer to another qualified individual, as appropriate.

The roles of the Information Officer include the following:

- Establish a single incident information center;
- Act as the single point of contact for all company employees not directly involved with the incident response;
- Obtain briefings from the Incident Commander; and

- Formulate and release information about the incident to the news media, family members, and/or other entities, as appropriate, with approval of the Incident Commander.

The Information Officer will maintain open communications with local emergency response agencies and maintain an updated list with contact points and capabilities. This information will be provided to the Emergency Coordinator who will make updates to this ICP as needed.

In addition, the Emergency Coordinator is responsible for reviewing this ICP with employees and informing them of their roles and responsibilities in the event of an emergency.

### **A3-2.3 Safety**

During every incident, the Incident Commander's primary responsibility is always the safety of the responders, employees, and the public. In order to fulfill these responsibilities, the Incident Commander may choose to delegate these responsibilities to a Safety Officer. The roles of the Safety Officer are:

- Monitor and assess hazardous and unsafe situations;
- Develop measures for assuring the safety of personnel, including responders, other employees, and the public;
- Correct unsafe acts or conditions through the regular line of authority or through the Incident Commander;
- Investigate accidents that may have occurred within the incident area; and
- Maintain direct communication with the Incident Commander, if the Safety Officer is a separate individual.

The Safety Officer/Incident Commander is also responsible for initiating and overseeing the evacuation of the facility, as required. The PWP Evacuation Plan is provided under the **GREEN TAB** in Section 2.10 of the ICP Core Plan Elements.

Rescue and medical duties for responders are described in the Incident-Specific Response Guidelines in Sections 2.7 and 2.8 of the ICP Core Plan Elements.

#### **A3-2.4 Liaison - Staff mobilization**

The role of the Liaison Officer is minimal considering the size and staffing level of the PWP facility. At the PWP, the duties of the Liaison Officer will fall to the Incident Commander. The role of the Liaison Officer is to establish and maintain communications between PWP personnel and assisting/cooperating agency representatives (Fire, Police, Red Cross, Public Works, etc.).

### **A3-3. PLANNING**

Generally, the Incident Commander assumes the role of Planning Supervisor. The Planning Supervisor is responsible for preparing and maintaining an IAP in order to facilitate the response to incidental spills, releases, and/or other incidental emergencies. This includes conducting a hazard assessment of the incident and evaluating the threat to the surrounding population and environment. In addition, the Planning Supervisor will maintain a list of all potential hazards at the facility and evaluate their impact to the incident response. For uncontrolled incidences, planning will be conducted by the outside responding agency.

#### **A3-3.1 Hazard Assessment**

A general assessment of hazards associated with each potential incident at the PWP has been conducted. Potential hazards and appropriate responses to these hazards are described in the Incident-Specific Response Guidelines (Steps 5, 6, and 8) in Sections 2.7 and 2.8 of the ICP Core Plan Elements. Hazardous materials storage locations and drainage pathways at PWP are shown on Figure 2 (Annex 1).

During the planning stage of an incident response, the Planning Supervisor will use the information acquired by the First Responder during Step 3 of the Incident-Specific Response Guidelines, the specific hazards listed in Step 5, and the proximity to other potential hazards (Figure 2, Annex 1) to determine the potential vulnerability of responders and the need for evacuation.

The potential for the incident to increase in magnitude due to the presence of a nearby potential hazard will be evaluated as part of this process. If such a hazard does exist, an attempt will be made to remove the potential hazard by shutting valves, physically removing objects, or other actions. This will only be done if these actions can be taken with minimal risk to the responders.

The Planning Supervisor/Incident Commander will determine if the hazards are too great for PWP personnel to enter the area (i.e. uncontrolled incident). If this is the case, the Incident Commander will secure the area to a safe distance prescribed in Step 3 of the Incident-Specific Response Guidelines (**YELLOW TABS**) and contact the appropriate outside agency (fire department, hazardous materials team, or other emergency responder).

If the Planning Supervisor/Incident Commander determines that the incident may threaten human health or the environment outside the facility and that evacuation of

surrounding areas is necessary, local authorities responsible for community evacuations will be notified immediately so that evacuation procedures can be implemented. The Planning Supervisor/Incident Commander will assist the authorities, as needed.

The responding authority for the incident will be notified immediately when there is a threat to human health or the environment outside the facility. The report must include the following:

- Name and telephone number of reporter;
- Name and address of facility;
- Time and type of incident (e.g. spill, release, fire, explosion);
- Name and quantity of material(s) involved, to the extent known;
- The extent of injuries, if any; and
- The possible hazards to human health or the environment outside the facility.

### **A3-3.2 Protection**

The protection of responders and non-responders is the primary responsibility of the Incident Commander. During the preparation of the IAP, the nature of the incident will be assessed by the First Responder and the Incident Commander. Specific information for evacuation/barricading for each potential incident is provided in Sections 2.7 and 2.8 (Step 3) of the ICP Core Plan Elements (**YELLOW TABS**). Based on the nature of the event, the appropriate level of site security will be determined (barricades, cones, caution tape, etc.).

If evacuation of the surrounding neighborhoods is required, the appropriate authorities will be contacted to initiate evacuation procedures outside of the facility (Step 6).

For incidental spills, releases, and/or other incidental emergencies, the Incident Commander and/or Safety Officer will determine the appropriate personal protection equipment and decontamination procedures needed for responders to approach the incident area for control and containment activities.

### **A3-3.3 Coordination with Natural Resource Trustees**

If there is an uncontrolled spill or release, the Information Officer/Incident Commander will contact Converse County Emergency Management. In addition, if a reportable quantity has been spilled or released, the National Response Center and the Wyoming Department of Environmental Quality will be contacted (see Annex 2 – Notification).

### **A3-3.4 Waste Management**

Wastes generated during incident responses will be stored and disposed of in accordance to the existing Waste Management Guidelines. Care will be taken to ensure that no waste that may be incompatible with the spilled/released material is treated, stored, or disposed until cleanup procedures are completed.

### **A3-4 OPERATIONS**

During the majority of incidents at the PWP facility, the role of Site O&M Manager will fall to the Incident Commander. During uncontrolled incidents, Incident Command will be relinquished to the Fire Department, Hazardous Materials Response Team, Emergency Response Contractor, or other appropriate outside agency. In those cases, operations will be supervised by the appropriate outside agency. The Operation Supervisor is responsible for all operations involving response activities under direction of the Incident Commander. Duties of the Operation Supervisor are as follows:

- Supervise execution of the IAP;
- Determine resource requirements and requests additional resources, as needed; and
- Brief and assign field operations personnel in accordance with the IAP.

#### **A3-4.1 Operational Response Objectives**

Response objectives for Pioneer Wind Park I & II (PWP) personnel are limited to:

- Control release/discharge, if this can be accomplished without danger to the responder;
- Assess the nature of the incident and recover incidental spills for substances that are not acutely hazardous; and
- Contact the appropriate qualified outside agency for uncontrolled incidences, such as the Fire Department, the Hazardous Materials Team, Medical Emergency Services, or Emergency Response Contractor.

Specific procedures for responding to potential hazards located at PWP are provided in Sections 2.7 and 2.8 of the ICP Core Plan Elements and are not repeated here.

#### **A3-4.2 Discharge or Release Control**

For incidental spills, the discharge or release of chemicals at PWP will be controlled by PWP personnel if it can be accomplished by properly trained PWP personnel following standard procedures (such as closing a shut-off valve) with minimal danger. Procedures

for controlling discharges/releases for each chemical located at PWP are outlined under the **YELLOW TABS** in Section 2.7 (Step 8) of the ICP Core Plan Elements.

The Incident Commander will take all reasonable measures to ensure that the incident does not spread to other facility hazards. For uncontrolled incidences, this includes contacting the appropriate outside agencies and initiating evacuation procedures.

#### **A3-4.3 Assessment/Monitoring**

Procedures for the initial assessment for each potential hazard associated with PWP are described in Steps 3 and 5 in the Incident-Specific Response Guidelines, Sections 2.7 and 2.8 of the ICP Core Plan Elements.

Internal and external notifications (of appropriate local, state, and federal agencies) for each hazard are outlined in Steps 3, 6, 8, and 9 of the Incident-Specific Response Guidelines, Sections 2.7 and 2.8 of the ICP Core Plan Elements.

In the event that the facility ceases operation, the Incident Commander will assign qualified personnel to monitor for leaks, pressure buildup, gas generation, or ruptures in valves, pipes or other equipment, wherever this is appropriate.

#### **A3-4.4 Containment and Recovery**

Containment and recovery of chemical spills or releases by PWP personnel will be limited to incidental spills or releases of chemicals that are not acutely hazardous. For example, containment and recovery for an incidental spill of light oil will be accomplished by using an absorbent material. Specific containment and recovery procedures for each chemical are provided under the **YELLOW TABS** in Section 2.7 of the ICP Core Plan Elements, as appropriate. For spills that are large, out-of-control, or acutely hazardous, an appropriate outside agency, such as the Hazardous Materials Response Team or an Emergency Response contractor, will be notified. Notification procedures for each chemical at PWP are also described in Section 2.7 of the Core Plan Elements of the ICP. Contact telephone numbers for outside agencies are also located in Annex 2.

#### **A3-4.5 Decontamination**

The Safety Officer is responsible for ensuring that all emergency equipment used during an incident response is decontaminated, repaired, or replaced to ensure that it is fit and ready for use.

#### **A3-4.6 Non-responder medical needs including information on ambulances and hospitals**

Medical procedures associated with each potential incident are described in Step 3 of Sections 2.7 and 2.8 of the ICP Core Plan Elements. Information for contacting appropriate Emergency Medical Services is also contained in Step 6 and/or in the Medical Incident Guideline (Section 2.9 - **BLUE TAB**).

### **A3-4.7 Salvage Plans**

Once the incident has been controlled, qualified personnel will inspect equipment in the vicinity of the incident to determine extent of damage. Recommendations will be made for repairs or decontamination procedures needed to return the equipment to normal service. If it is determined that the equipment has been too damaged or contaminated to be used, plans will be made to properly salvage or dispose of the equipment.

### **A3-5 LOGISTICS**

Generally, the role of the Logistics Supervisor will be performed by the Incident Commander, although the Incident Commander may choose to delegate this position to another qualified individual. The Logistics Supervisor is responsible for providing facilities, services, equipment, and materials in support of the incident response. Duties include:

- Maintain direct communication with the Incident Commander;
- Provide communications network and establish staging area;
- Maintain a list of names and phone numbers of agencies and companies providing supplies, equipment, etc.;
- Log receipt and distribution of equipment, supplies, and agency/contractor services provided; and
- Document all response activities as they occur.

#### **A3-5.1 Medical Needs of Responders**

The safety and health of responders and non-responders is always a primary objective during any incident response. Appropriate medical procedures for the various hazards are provided in Step 3 of the response guidelines provided in Sections 2.7 and 2.8 of the ICP Core Plan Elements.

First aid kits that contain, at a minimum, sufficient supplies to perform the medical techniques prescribed in the ICP Core Plan Elements will be kept at PWP. The location of the first aid kits is provided on Figure 2 in Annex 1. The Logistics Officer will maintain a log of all first aid equipment used during an incident. This log will be provided to the Safety Officer so supplies can be replenished.

#### **A3-5.2 Site Security**

The Logistics Officer will procure or otherwise obtain barricades or other security measures as needed to secure the incident area. Unauthorized persons will not be allowed within the secured area.

### **A3-5.3 Communications**

Internal communications will be conducted using two-way radios. Channel 1 will be used for all emergency transmissions. Each member of the shift will carry a radio outside of the O&M Building, and maintenance crews shall have radios while in the Pioneer Wind Park I & II farm. Cell phones will be used as a backup communication system.

When an evacuation is initiated, evacuation of the facility will proceed immediately as outlined in the Evacuation Plan (refer to Section 2.10 of the Core Plan Elements – **GREEN TAB**).

External communication will primarily be the responsibility of the Information Officer. The Information Officer/Incident Commander is responsible for contacting the appropriate outside agency as per Step 6 and Step 9 of the Incident-Specific Response Guidelines.

In the event an evacuation is required, all employees will gather in the designated assembly area (Figure 2, Annex 1). The Logistics Officer will be responsible for performing a head count to ensure that all employees are present.

### **A3-5.4 Transportation**

Transportation needs are minimal considering the size and staffing level of the PWP facility. PWP personnel will only respond to incidental spills or other minor incidents that can be handled using on-site personnel without special transportation needs. In the event of an uncontrolled incident where an outside agency responds to an incident, that agency will supply transportation, as needed.

### **A3-5.5 Personnel Support**

PWP personnel will only respond to incidental spills or other minor incidents that can be handled using on-site personnel; as such, food and lodging will not be required. In the event of an uncontrolled incident during which an outside agency responds to an incident, that agency will supply any needed personnel support.

All PWP personnel will be trained in the procedures outlined in the Evacuation Plan (**GREEN TAB** of Section 2.10 of the ICP Core Plan Elements) to assist visitors and emergency response personnel in the evacuation process.

### **A3-5.6 Equipment Maintenance and Support**

A list of all emergency equipment including a physical description of the item, the capabilities/uses of the item, and a description of the location is provided in Annex 10. Location of all of the emergency equipment is also provided on Figure 2 in Annex 1. The Logistics Officer will log all equipment and supplies used during an incident response. This log will be provided to the Safety Officer so that replacement equipment

can be purchased as needed. The list will be updated as needed to include additional equipment purchased for an incident.

The Safety Officer is responsible for maintaining the alarm system and ensuring that it is operating properly.

In the event an outside agency is responding to an incident, the Logistics Officer will designate a staging area sufficient to support the outside agencies' equipment maintenance and support needs.

### **A3-6 FINANCE/PROCUREMENT/ADMINISTRATION**

The Incident Commander will assume the duties of the Financial/Administration Supervisor. Financial/Administration Supervisor is responsible for tracking cost of the incident response and maintaining procedures for procurement of equipment and services required for the response. In addition, the Financial/Administration Supervisor is responsible for maintaining incident files, as required.

#### **A3-6.1 Resource List**

The Emergency Coordinator will maintain a complete and up-to-date resource list including available on-site and off-site personnel and response equipment. This list will be provided to the Incident Commander and Finance/Administration Officer so that appropriate resources can be mobilized to the incident.

Phone numbers for outside resources are provided in Annex 2 of the ICP. This list will be updated as needed.

#### **A3-6.2 Personnel Management**

The workforce on site at PWP varies with time of day and day of the week. During normal hours of operation, there will be approximately <XX> employees on site. During an incident, appropriate onsite or offsite personnel will be mobilized to the site as needed. Personnel management will be organized so that there is a manageable span of control.

The number of employees used during an incident and the hours worked by each employee will be tracked by the Production Manager. This information will be used to ensure that employees do not exceed a safe number of consecutive hours worked without an extended rest. No employee should be allowed to work more than 12 hours within a 24-hour period. The information can also be used to determine the total resources used at an incident, and facilitate the planning for future incident responses.

#### **A3-6.3 Response Equipment**

A list of all emergency equipment including a physical description of the item, the capabilities/uses of the item, and a description of the location is provided in Annex 10. Location of all of emergency equipment is also provided on Figure 2 in Annex 1. The Logistics Officer will log all equipment and supplies used during an incident response.

This log will be provided to the Safety Officer so that replacement equipment can be purchased as needed. The list will be updated, as needed, to include additional equipment purchased for an incident.

#### **A3-6.4 Support Equipment**

The PWP has support equipment consistent with the normal operation and maintenance of this type of wind farm such as hand tools, ladders, etc. This equipment will be available for all incidence responses, as needed. However, an inventory of the support equipment will not be maintained as part of this ICP.

#### **A3-6.5 Contracting**

Arrangements have been made with local authorities and emergency medical services that are expected to respond to incidents at PWP. Arrangements have been made with the Glenrock Fire Department, Glenrock Police Department, Converse County Sheriff, and the Wyoming Medical Center. These organizations have been contacted, and the capability of each has been ascertained with regard to emergencies that may arise at PWP. Each of the local authorities and service providers noted above has agreed to provide the necessary services should an incident occur. These organizations have been given details of the facility layout, operations, and hazards at PWP, as appropriate, and have been provided with a copy of this ICP. Note: The local authorities and service providers listed above are contacted in the event of an incident as listed in Annex 2 - Notification.

The PWP has also contracted with local suppliers to provide services required for incident response. These include an emergency response contractor for uncontrolled spills or releases, an environmental engineering firm for remediation of contaminated media, and an analytical laboratory to support emergency response and remediation activities. The firm names, contact names and phone numbers are supplied in Table A3-2.

**Table A3-2: Summary of Contract Service Providers**

<b>Contractor</b>	<b>Type of Service</b>	<b>TELEPHONE</b>
OEM Manager	Turbine Maintenance	XXX-XXX-XXXX
Primary Spill Response Contractor	Safety Kleen	307.265.7795
Alternate Spill Cleanup Contractor	Trihydro Corp.	307.745.7474
Waste Analysis	Wyoming Analytical Labs, Inc.	307-742-7995
Wyoming Department of Environmental Quality	N/A	Reporting Spills 307-777-7781

**A3-6.6 Claims Procedures**

Once an incident response has been completed, the post-incident activities, such as clean up and salvage operations, should be delayed until any investigations related to claims have been completed.

**A3-6.7 Cost Documentation**

The Financial/Administration Officer will document all costs associated with the incident response, including personnel time, subcontract services, equipment rental, field purchases, and other expenses. These costs will be evaluated for use in planning resources for future incident responses.

ANNEX 4 RESERVED

## ANNEX 5 TRAINING AND EXERCISES/DRILLS

### A5-1. GENERAL

The Pioneer Wind Park I & II Farm, LLC (PWP) emergency response program limits the response of on-site PWP personnel to that of Incident Discovery (awareness level) personnel and First Responder (operations level) personnel. PWP employees are trained and equipped in “discovery” and in *defensive* first response only. Any chemical spill or release or other emergency that extends beyond incidental (i.e., easy cleanup of small spills; rendering first aid for minor injuries; minor patching or repair of equipment; basic containment; minor fire-fighting with no more than fire extinguishers) is referred to outside services for offensive emergency response. Depending on the emergency, outside services may include local fire department, emergency medical services, and hazardous materials contractors.

The PWP training program is designed to:

- Train all personnel in the basic skills required of a person discovering an incident;
- Train first responders in containment, evacuation, defensive measures, and first aid;
- Instruct employees of the components of this Integrated Contingency Plan (ICP) and to understand their role in an incident, including evacuation;
- Familiarize employees with the facility, its hazards, and supplies to ensure a rapid, safe response;
- Test implementation of the Incident Command System; and
- Conduct drills with outside services.

### A5-2 DOCUMENTATION OF TRAINING

The PWP is responsible for documenting all personnel training. Training records will be maintained for all on-site personnel. Training records will be retained for a minimum of three years.

### A5-3 GENERAL EMPLOYEES TRAINING REQUIREMENTS

All PWP staff will be trained to perform their assigned duties and responsibilities. The regulatory requirements for this training are listed below:

29 CFR §1910.38 (a) (5)

Emergency Evacuation Plan

29 CFR §1910.120 (q) (6)	Emergency Response to Hazardous Materials
29 CFR §1910.151	Medical Services and First Aid
29 CFR §1910.157 (g)	Portable Fire Extinguishers
40 CFR § 112.7 (e) (10)	Spill Prevention

### **A5-3.1 Integrated Contingency Plan**

All PWP staff will be trained to implement the ICP relative to their level of responsibility (first responder, incident commander, etc.). Employees will be made aware of the structure and organization of the ICP, the step by step procedures that are part of the incident command system, and the location of relevant telephone numbers in each section of the ICP and on the SPCC Wall Chart. The ICP will be reviewed with each employee upon hiring, whenever the ICP is changed, or whenever the employee's role or designated actions under the ICP changes.

### **A5-3.2 Emergency Evacuation Plan**

All PWP staff will be trained to participate and assist in the safe and orderly emergency evacuation of the site. The Emergency Action Plan will be reviewed with each employee upon hiring, whenever the plan is changed, or whenever the employee's role or designated actions under the plan changes. The employer will review with each employee upon initial assignment those parts of the plan that the employee will know to protect the employee in the event of an emergency. The written plan will be kept at the workplace and made available to employees for review.

### **A5-3.3 Emergency Response to Hazardous Materials**

The PWP emergency response program limits the response of on-site PWP personnel to that of Incident Discovery, First Responder Operations Level, and Incident Commander. Training requirements for PWP personnel assigned to these duties is described in detail in Section A5-4.

PWP employees are trained and equipped only in "discovery" and for *defensive* first response. Any chemical spill/release or other emergency that extends beyond incidental (i.e., easy cleanup of small spills; rendering first aid for minor injuries; minor patching or repair of equipment; basic containment; minor fire-fighting with no more than fire extinguishers) is referred to outside services for offensive emergency response. Depending on the emergency, outside services may include local fire department, emergency medical services, and hazardous materials contractors.

### **A5-3.4 Medical Services and First Aid**

Emergency medical services will be provided, for the most part, by outside agencies. For the PWP, the Wyoming Medical Center will provide medical services.

All PWP personnel will be trained and qualified in basic first aid and CPR. This training will be provided for all current and new personnel. Initial training will be followed by a

yearly refresher for CPR and a refresher every three years for first aid. The purpose of this training is to provide personnel with the basic skills to allow them to assist and stabilize injured personnel until emergency medical assistance arrives.

First aid measures to be applied are described in the incident-specific response guidelines provided in Sections 2.7 and 2.8 of the ICP Core Plan Elements. At least two persons on each shift will have adequate training to render first aid. First aid kits with sufficient supplies to render appropriate first aid will be maintained at the PWP.

### **A5-3.5 Portable Fire Extinguishers**

All PWP personnel will be trained in the general principles of fire extinguisher use and the hazards involved with incipient-stage fire-fighting. This training will be conducted for each new hire and at least annually for all on-site personnel. This training will include recognition of fire type, proper extinguisher selection, and extinguisher use. Employees will be trained to recognize a fire that has advanced beyond the point at which it can be extinguished with a fire extinguisher. At this point, personnel will evacuate the area and provide assistance to the responding outside agency, as required.

### **A5-3.6 Spill Prevention**

Owners and operators are responsible for properly instructing their employees in the operation and maintenance of equipment to prevent the discharges of oil. As part of this training, each employee will receive spill prevention training upon hire and at least annually to ensure an adequate understanding of the facility SPCC Plan. Briefings or training will highlight and describe known spill events or failures, malfunctioning components, and recently developed precautionary measures.

## **A5-4 SPECIFIED RESPONDER TRAINING FOR PWP EMPLOYEES**

### **A5-4.1 Incident Discovery Awareness Training**

All PWP employees will be trained in the discovery process (recognition, observation, and notification). They will be trained to take no further action without additional training and authorization. Training will include:

- An understanding of what hazardous substances are, and the risks associated with them in an incident;
- An understanding of the potential outcomes associated with an emergency created when hazardous substances are present;
- The ability to identify the hazardous substances, if possible;
- An understanding of the Incident Discoverer's role as defined in the employer's ICP; and

- The ability to realize the need for additional resources and to make appropriate notifications.

All PWP employees will review the ICP, and the roles of each employee will be identified. Additional reviews of the ICP will be conducted annually, when a new employee is hired, and when changes are made to the ICP.

#### **A5-4.2 First Responder Operations Level**

This training applies only to those PWP employees designated as First Responders. First Responders respond to releases or potential releases in a defensive fashion only. The objective of the First Responder is to collect information, take mitigating actions only if safe to do so, and protect nearby persons, property, or the environment from the effects of the release if safe to do so. This requires a minimum of eight hours training in the following areas:

- Knowledge of the basic hazard and risk recognition techniques;
- Knowledge of application and use of air monitoring equipment;
- Knowledge on selection and use of proper personnel protective equipment (PPE) provided to the First Responder;
- An understanding of basic hazardous materials terms;
- Knowledge on performance of basic control, containment, and/or confinement operations within the capabilities of the resources and PPE available;
- Knowledge on performance of basic decontamination procedures; and
- An understanding of the relevant standard operating procedures and termination procedures.

The objectives of the First Responder are:

- Observe and report;
- Contain the spill from a safe distance;
- Prevent exposures;
- Protect nearby persons, property, and environment;
- Fight minor fires in their incipient stage; and

- Conduct release recovery or other incident mitigation.

#### **A5-4.3 Incident Commander**

PWP personnel will NOT assume the role of Incident Commander during incidents involving uncontrolled releases of hazardous substances. As repetitively stated throughout this document, uncontrolled releases of hazardous substances require outside agency response. During an incident involving the uncontrolled release of a hazardous substance, the initial Incident Commander will be the senior officer on the first due piece of responding emergency apparatus, as stated in the OSHA Hazardous Waste and Emergency Response standard [29CFR1910.120 (q) (3) (i)].

PWP personnel who will assume the role of Incident Commander during other types of incidents must complete First Responder Operations Level training. In addition, the Incident Commander will also have competency in the following areas:

- Know and be able to implement the PWP Incident Command System;
- Know how to implement the ICP.

#### **A5-4.4 Refresher Training**

All PWP employees will have annual refresher training of sufficient content and duration to maintain the levels of competency described in the previous sections. A statement of the training will be recorded describing the annual training and the methodology used to demonstrate the level of competency.

#### **A5-5 TRAINING REQUIREMENTS FOR OUTSIDE AGENCIES**

All outside agencies or contractors responding to emergencies at the PWP will have completed training required to respond to the incident. Outside agencies include the local fire department, emergency medical services, police department, and the hazardous materials emergency response contractor. PWP personnel will conduct an annual audit of their contracted service providers to ensure that they have documentation of appropriate response training.

In addition, visitors and PWP contractors will also be made aware of health and safety issues and evacuation routes.

#### **A5-6 PROGRAM EVALUATION**

Every two years, the PWP ICP will be reviewed by the Emergency Coordinator. The review will include all aspects of the ICP. Upon completion of the review, the ICP will be amended to correct any identified deficiencies. All PWP personnel will then receive training in the changes that have been made.

**A5-7 DRILLS**

The PWP will conduct internal drills to test:

- The Evacuation Plan;
- Implementation of the Incident Command System;
- The availability and operation of emergency equipment;
- Knowledge of internal and external notification procedures; and
- Competency of Incident Discoverers, First Responders, and Incident Commanders.

These internal drills will be conducted at least annually.

In addition to the internal drills, the PWP will also conduct drills with one or more outside agencies on an annual basis. These drills may be combined with the internal drills. PWP personnel will coordinate with the contracted emergency response firm, local fire department, HAZMAT team, law enforcement department, and medical emergency services to conduct a coordinated drill of services. The Wyoming Office of Homeland Security will also be notified regarding the scheduling of these drills.

**ANNEX 6 RESPONSE CRITIQUE AND PLAN REVIEW AND MODIFICATION**

Procedures for plan review and revision are detailed in Section 3.0 of the Plan Introduction Elements.

The Incident Response Checklist provided on the following page is to be completed during any incident at PWP that requires the use of the ICP. This checklist will be used as a reference when completing the PWP Emergency Response Incident Record. The PWP Emergency Response Incident Record (also provided on the following pages) is to be used to document the incident investigation and critique response required as part of termination and follow-up actions discussed in Section 4.2 of the Core Plan Elements.

**INCIDENT RESPONSE CHECKLIST**

**INCIDENT AND DATE**

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

**STEP 1. IMPLEMENT ICS**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 2. DISPATCH FIRST RESPONDER**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 3. FIRST RESPONDER ACTIONS**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 4. NOTIFICATION OF EMERGENCY COORDINATOR**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 5. HAZARD ASSESSMENT BY INCIDENT COMMANDER**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 6. EXTERNAL AGENCY NOTIFICATIONS**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 7. PREPARE INCIDENT ACTION PLAN**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**INCIDENT RESPONSE CHECKLIST (continued)**

**STEP 8. EXECUTE RESPONSE**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 9. ADDITIONAL AGENCY OR MEDIA NOTIFICATIONS**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**STEP 10. CLEANUP/RECOVERY ACTIONS**

Time: \_\_\_\_\_ By: \_\_\_\_\_

Comments: \_\_\_\_\_

**PIONEER WIND PARK I & II (PWP), LLC. EMERGENCY RESPONSE INCIDENT  
RECORD**

This form should be used to document any incidents and the associated responses at PWP. This form is not for agency distribution. The Site O&M Manager will form an incident investigation team comprised of the Incident Commander(s), the employee most knowledgeable of the incident, and any contract or government responders that could add to the process. The investigation and report should be completed as soon as possible, but no later than 48 hours following the incident. Corrective action items will be entered into the PWP computer-based maintenance program (<XXXXXX>) and Task manager. This report is to be retained as part of the ICP for five years from the date of its completion.\*

**Incident and/or Release Information**

Date/Time of Release or Incident \_\_\_\_\_

Date/Time Investigation of Incident began \_\_\_\_\_

Name of Employee(s) who Discovered or were involved in the Release or Incident: \_\_\_\_\_  
\_\_\_\_\_

What was the Location of the Incident or Release? \_\_\_\_\_

Description of Incident: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Was the immediate area evacuated? \_\_\_\_\_ Was the ICP implemented? \_\_\_\_\_

Was there a hazardous material spilled? \_\_\_\_\_ If so, what type and estimated quantity? \_\_\_\_\_  
\_\_\_\_\_

What was the source of the Release or the cause of the Incident? \_\_\_\_\_  
\_\_\_\_\_

What did the Release or Incident affect: human health and/or the environment? \_\_\_\_\_  
\_\_\_\_\_

Are there injuries to report that were caused by the Release or Incident? \_\_\_\_\_  
If so, describe the injuries: \_\_\_\_\_  
\_\_\_\_\_

Was medical attention necessary? \_\_\_\_\_  
If yes, to whom, and what were the injuries and the actions taken: \_\_\_\_\_  
\_\_\_\_\_

Who responded or assisted in the response to the Release or Incident? \_\_\_\_\_  
\_\_\_\_\_

What actions were taken in response to the Incident? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How fast and efficiently did the internal response team and the emergency response team (if needed) respond? \_\_\_\_\_  
\_\_\_\_\_

List the Agencies that were notified:

Agency	Time	Date	Contacted/Phone Number
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Were there any further regulatory requests? \_\_\_\_\_ If so, what were they? \_\_\_\_\_  
\_\_\_\_\_

Was anyone else called concerning the Incident? \_\_\_\_\_  
If so, list the person, time, date, and phone number: \_\_\_\_\_  
\_\_\_\_\_

Were samples collected for verification of clean-up (if so, attach a map of the sample locations, copies of Chain of Custody forms and copies of the lab analyses): \_\_\_\_\_

What factors contributed to the Incident? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How could the Incident have been prevented? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What Procedures and Engineering Controls can be implemented to prevent the Incident from recurring? \_\_\_\_\_  
\_\_\_\_\_

Were the response procedures and personnel effective in getting the Incident area and situation under control? Were there any incidents while responding to the original Incident? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Overall, how well was the response to the Incident carried out and should any changes be made to the response procedures /personnel?

\_\_\_\_\_  
\_\_\_\_\_

Printed Name and Position of Employee(s) who Completed the form: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Signature of Employee(s) who Completed the form:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date and Time the Form was Completed: \_\_\_\_\_

**Certification of entry into computer-based maintenance program (<XXXXX>)**

Signature \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Brief description of entry(s): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* Upon completion, this form is to be distributed to affected personnel whose duties are relevant to the findings. A copy of this report is to be placed in Annex 6 of the ICP and maintained there for a period of five years.

ANNEX 7 RESERVED

**ANNEX 8 REGULATOR COMPLIANCE AND CROSS-REFERENCE MATRICES**

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR Part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
<b>Section I – Plan Introduction Elements</b>				
<b>1. Purpose and scope of plan coverage</b>	1.0 Plan Introduction Elements	265.31	112.3(d) 112.7	38 <sup>1</sup>  <sup>1</sup> All claims refer to part 1910 unless otherwise noted.
<b>3. Current revision date</b>	3.0 Current Revision Date		112.5(a),(b),(c)	
<b>4. General facility identification information</b>	4.0 General Facility Identification Information			
<b>a. Facility name</b>	4.1 Facility name			
<b>b. Owner/operator/ agent</b>	4.2 Owner/operator/agent			
<b>c. Physical address and directions</b>	4.3 Physical address of the facility			
<b>d. Mailing address</b>	4.4 Mailing address of the facility			
<b>e. Other identifying information</b>	4.5 Other identifying information			

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR Part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
f. Key contact(s) for plan development and maintenance	4.6 Key contact(s) for plan development and maintenance			38
g. Phone number for key contact(s)	4.7 Phone number for key contact(s)			
h. Facility phone number	4.8 Facility phone number			
i. Facility fax number	4.9 Facility fax number			
<b>Section II – Core Plan Elements</b>				
1. Discovery	1.0 Incident discovery			
2. Initial response	2.0 Initial response			38 38
a. Procedures for internal and external notifications	2.1 Procedures for internal and external notification	262.34(d)(5)(i),(ii) 262.34(d)(5)(iv)(A),(C) 265.32(a),(b) 265.34(a)		38 38 38 165
b. Establishment of a response management structure	2.2 Establishment of a response management system	265.37		
c. Preliminary assessment	2.3 Procedures for preliminary assessment			

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
<b>d. Establishment of objectives and priorities for response, including:</b> (1) Immediate goals/tactical planning (2) Mitigating actions (3) Response resources	2.4 Procedures for establishment of objectives and priorities for response to the specific incident 2.4.1 Immediate goals/tactical planning 2.4.2 Mitigating actions 2.4.3 Identification of resources required for response Annex 10 Response Equipment/Supplies Checklist	262.34(d)(5)(ii)(B) 262.34(d)(5)(iv)(A),(B)		
<b>e. Implementation of tactical plan</b>	2.5 Procedures for implementation of tactical plan			
<b>f. Mobilization of resources</b>	2.6 Procedure for mobilization of resources Annex 10 Response Equipment/Supplies Checklist	262.34(d)(5)(ii)(B)		
	2.7 Chemical Specific Response Guidelines	262.34(d)(5)(ii),(iv)		
	2.8 Fire, Flood, Tornado, Earthquake, and Bomb Threat Response Guidelines	262.34(d)(5)(ii),(iv)		
	2.9 Medical Emergency Guideline	262.34(d)(5)(iii)		38
	2.10 Evacuation Plan			38 38 38 38

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
3. Sustained actions	3.0 Sustained Actions			
4. Termination and follow-up actions	4.0 Termination and Follow-Up Actions		112.4(a),(b),(c)	
<b>Section III – Annexes</b>				
1. Facility and locality information	Annex 1 Facility and Locality Information			
a. Facility maps				
b. Facility drawings				
c. Facility description/layout				
2. Notification a. Internal b. Community c. Federal and State agency	Annex 2 Notification	262.34(d)(5)(ii)(A),(C) 262.34(d)(5)(iv)(A),(C) 265.32(a),(b) 265.34(a)		
3. Response management structure	Annex 3 Response Management System			
a. General	A3-1. A3-6.5	265.37		

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
<b>b. Command</b>	A3-2.			
(1) Facility incident commander and qualified individual	A3-2.1	262.34(d)(5)(i),(ii)(A)		
(2) Information	A3-2.2			38 38
(3) Safety	A3-2.3			38 38 38 38
(4) Liaison	A3-2.4			
<b>c. Operations</b>	A3-4.			38
(1) Response objectives	A3-4.1			38
(2) Discharge or release control	A3-4.2	262.34(d)(5)(iv)(B)		
(3) Assessment/ monitoring	A3-4.3			38
(4) Containment	A3-4.4	262.34(d)(5)(iv)(B)		
(5) Recovery	A3-4.4			
(6) Decontamination	A3-4.5	265.32(c)		

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
(7) Non-responder medical needs	A3-4.6			38
(8) Salvage plans	A3-4.7			
d. Planning	A3-3.			38 38
(1) Hazard assessment	A3-3.1			38
(2) Protection	A3-3.2			
(3) Coordination with natural resource trustees	A3-3.3			
(4) Waste management	A3-3.4			
e. Logistics	A3-5.			
(1) Medical needs	A3-5.1			38
(2) Site security	A3-5.2			
(3) Communications	A3-5.3			38 165(b)
(4) Transportation	A3-5.4			
(5) Personnel support	A3-5.5			38

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
(6) Equipment maintenance and support	A3-5.6	265.33		165(d)
f. Finance/ procurement/ administration	A3-6.			
(1) Resource list	A3-6.1 Annex 10 Response Equipment/Supplies Checklist	262.34(d)(5)(ii)(B) 265.32(c)		
(2) Personnel	A3-6.2			
(3) Response equipment	A3-6.3 Annex 10 Response Equipment/Supplies Checklist	262.34(d)(5)(ii)(B) 265.32(c)		
(4) Support equipment	A3-6.4	262.34(d)(5)(ii)(B) 265.32(c)		
(5) Contracting	A3-6.5			
(6) Claims procedures	A3-6.6			
(7) Cost documentation	A3-6.7			

ICP Elements	PWP Integrated Contingency Plan	RCRA (40 CFR Part 262.34 and 40 CFR Part 265, Subpart C)	EPA's Oil Pollution Prevention Regulation (40 CFR part 112)	OSHA Emergency Action Plans (29 CFR 1910.38(a))
<b>4. Incident documentation</b>	Annex 4 Incident Documentation			
<b>a. Post-accident investigation</b>			112.4(a),(b),(c)	
<b>b. Incident history</b>			112.20(h)(4) F1.4.4	
<b>5. Training and exercises/drills</b>	Annex 5 Training and Exercises/Drills			38
<b>6. Response critique and plan review and modification process</b>	Annex 6 Response Critique and Plan Review and Modification Process			
<b>7. Prevention</b>	Annex 7 Prevention			
<b>8. Regulatory compliance and cross-reference matrices</b>	Annex 8 Regulatory Compliance and Cross-Reference Matrices			

## ANNEX 9 STORAGE TANK INVENTORY

DESCRIPTION	VOLUME	LOCATION(S)
Propane	2-1000 Gal.	O&M building
Propane	1-500 gal.	Substation
Turbine Gearbox – gear lube oil	78 gal. each 4,836 gal. total for 62 turbines	Self-contained within each turbine
Main Power Transformer – insulating oil	13,310 gal.	Switchyard in substation
Pad Mounted Transformer – insulating oil	680 gal. each 42,160 gal. total for 62 transformers	One at base of each turbine.
Pad Mounted Grounding Transformers – insulating oil	680 gal each XXXX gal total for X transformers	Substation

## ANNEX 10 RESPONSE EQUIPMENT/SUPPLIES CHECKLIST

DESCRIPTION	NUMBER	CAPABILITIES	LOCATION(S)
2-Way Radios (hand-held)	10	Communication throughout site.	O&M Building
Combustible Gas Indicator	5	Used to monitor levels of explosive gases, O <sub>2</sub> , CO in atmosphere	O&M Building
Cones, Traffic, 28"	None yet	Used to isolate area of spill	O&M Building
Fire Extinguisher, Dry Chemical, 2.5#	7	Used to extinguish type A,B, and C fires	Vehicles
Fire Extinguisher, Dry Chemical, 10#	7	Used to extinguish type A,B, and C fires	O&M Building
First Aid Kit (Small)	10	Contains first aid supplies for treatment of minor injuries and burns	Vehicles
First Aid Kit (Large)	1	Contains first aid supplies for treatment of minor injuries and burns	O&M Building
Material Safety Data Sheets (MSDS)	Compiling	Contains critical information for each chemical used on site including first aid, fire protection, and necessary protective equipment	O&M Building
Oil Spill Kit (5 gal)	1	Kit will contain pads, socks, mats, personal protective equipment for oil spills. Specific items in the kit are listed on a spill kit inventory sheet attached directly to the kit.	O&M Building
Bulk oil spill response Kit (95 gal)	1	This kit contains large amounts of spill response supplies for large oil spills. Specific items in the kit are listed on a spill kit inventory sheet attached directly to the kit.	O&M Building

## ANNEX 11 ACRONYMS AND DEFINITIONS

ACGIH	American Conference of Government Industrial Hygienists
atm	Atmospheres
BMP	Best Management Practice
BOP	Balance of Plant
°C	Degrees Celsius
CAS	Chemical Abstract Service
CC	Compressor Collection
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
cm <sup>3</sup>	Cubic Centimeters
CPR	Cardiopulmonary Resuscitation
CTG	Combustion Turbine Generator
cu. ft.	Cubic Feet
EEP	Emergency Evacuation Plan
EH&S	Environmental Health and Safety
EPA	Environmental Protection Agency
E&S	Erosion and Sedimentation
°F	Degrees Fahrenheit
gal.	Gallons
HAZMAT	Hazardous Material
PWP	Pioneer Wind Park I & II
HRSG	Heat Recovery Steam Generator
IAP	Incident Action Plan
ICP	Integrated Contingency Plan
ICS	Incident Command System
IDLH	Immediately Dangerous to Life or Health
kg/m <sup>3</sup>	Kilograms per Cubic Meter
lb	Pound
lbs/cu ft	Pounds per Cubic Foot
LEL	Lower Explosion Limit
LEPC	Local Emergency Planning Committee
LLC	Limited Liability Corporation
mg/m <sup>3</sup>	Milligrams per Cubic Meter
mL	Milliliters
mm Hg	Millimeters mercury
MSDS	Material Safety Data Sheet
MW	Megawatts
N/A	Not Applicable
NIIMS	National Interagency Incident Management System
NIOSH	National Institute for Occupational Safety and Health
NPDES	National Pollution Discharge Elimination System

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NRC	National Response Center
ODC	Oil Discharge Contingency
OEMA	Ohio Emergency Management Agency
OEPA	Ohio Environmental Protection Agency
O&M	Operations and Maintenance
OSHA	Occupational Safety and Health Administration
PEL	Permissible Exposure Limit
pH	pH units
PPE	Personnel Protective Equipment
ppm	Parts per Million
psi	Pounds per Square Inch
PWP	Pioneer Wind Park
RMP	Risk Management Plan
RO	Reverse Osmosis
SARA	Superfund Amendment and Reauthorization Act
SCBA	Self Contained Breathing Apparatus
scf	Standard cubic feet
SIC	Standard Industrial Classification
SO <sub>x</sub>	Sulfur oxides
SPCC	Spill Prevention, Control and Countermeasures
STEL	Short Term Exposure Limit
STG	Steam Turbine Generator
SWPPP	Stormwater Pollution Prevention Plan
TETCO	Texas Eastern Transmission Company
TLV	Threshold Limit Value
TWA	Time Weighted Average
UEL	Upper Explosive Unit
UN	United Nations
WMP	Wastewater Management Plan
WWI	Wasatch Wind Intermountain

## ANNEX 12 REFERENCES

Editor, 1997. *Book of Lists for Regulated Hazardous Substances*. 8<sup>th</sup> Edition, Government Institutes, Inc., Rockville, Maryland.

Environmental Protection Agency, Department of Transportation Coast Guard, Department of the Interior, Department of Labor, 1996. *The National Response Team's Integrated Contingency Plan Guidance*; Federal Register Vol. 61, No. 109, June 5, 1996, as modified on June 19, 1996.

NIOSH, 1997. *Pocket Guide to Chemical Hazards*. U.S. Department of Health and Human Services, Washington, D.C., June.

North American Emergency Response Guidebook, 2000.

United States Code of Federal Regulations (CFR) 2001. Title 40 – Protection of the Environment. Office of the Federal Register National Archives and Records Administration.

**ANNEX 13 SPILL PREVENTION CONTROL AND COUNTERMEASURES  
PLAN**

SPCC plan is located in the Library Room

## ANNEX 14 STORMWATER POLLUTION PREVENTION PLAN

The SWPPP is located in the parts Library Room

## ANNEX 15 SECURITY PLAN

No unauthorized personnel are allowed on site without prior approval. Access is determined by the Site O&M Manager or his designee. Site phone numbers are posted on the gate for those requesting access.

**In Case of Emergency Call 9-911**

## ANNEX 16 CRISIS COMMUNICATION PLAN

### **Corporate Communications – Emergency Notification Line**

The Emergency Notification Process provides a consistent method to ensure INITIAL NOTIFICATION is made to appropriate departments in a timely manner when a significant incident (life threatening injury, death, major fire, credible threat, etc.) occurs.

**X-XXX-XXX-XXXX**

### **Human Resource Employee Status Number**

Employees should attempt to contact their manager within two (2) hours of the employee verification (Status Reporting) procedure being invoked. Employees who cannot reach their immediate manager to verify their status should provide their status if the internet is unavailable, phone number XXX-XXX-XXXX or XXX-XXX-XXXX and leave a message.

June 22, 2015

Kimber Wichmann  
Principal Economist  
Department of Environmental Quality, Industrial Siting Division  
Herschler Building  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

Dear Ms. Wichmann,

This letter is to inform you that on May 16, 2014, Pioneer Wind Park I & II, LLC (PWP I & II) conducted a three hour training along with an orientation on how to respond to any emergency issues at the PWP I & II facilities to myself and members of my team—Hershel Wickett, Jeffrey C. Nelson, Carlos Mesa and Mark Grant.

Don Claussen, former Manager of Top of the World Wind Project and now Wind Operations Supervisor of Glenrock/Rolling Hills Wind Farm, was the trainer on behalf of PWP I & II. Mr. Claussen went through the Integrated Contingency Plan for PWP I & II (ICP). The ICP is a voluminous document, that is designed to minimize the hazards to human health and the environment from fires, explosions, natural disasters, bomb threats, or any unplanned sudden or non-sudden release of hazardous chemicals/hazardous waste, hazardous waste constituents, or used oil to air, soil, or surface water. The provisions of the plan must be carried out immediately whenever such an event or release occurs that could threaten human health or the environment.

The training and orientation included the topics of fire prevention, fire suppression, emergency rescue and the respective responsibilities of Converse County Emergency Management and PWP I & II.

During the training and orientation, Converse County Emergency Management and PWP I & II discussed and agreed upon response actions to the facilities. For example, we collectively agreed that PWP I & II would amend the ICP so that in the event of any emergency, 911 and life flight should be called. As with other energy facilities in the area, we collectively agreed PWP I & II would provide additional training to all members of the fire department and offer quarterly drills for at least the first year after construction to ensure our volunteers will know what to expect should an emergency occur.

We appreciate PWP I & II amending the ICP based on our feedback and PWP I & II's willingness to continue to offer training upon request. In addition, we believe PWP I & II met the requirement set out by Special Condition #17 in its Industrial Siting Permit:

Before the start of construction the Permittee shall provide evidence of training, orientation, and agreement on response actions to the Facility to personnel of adjacent fire districts. It will include fire prevention, fire suppression, emergency rescue and the respective responsibilities of the Permittee and the district(s). The Director may authorize the start of construction on favorable recommendation by the State Fire Marshall.

The training on May 16, 2014 was very informative and met our expectations. We look forward to working with PWP I & II to follow the procedures and directives that are to be carried out whenever there is a natural disaster, plant emergency, or threatened incident that may cause harm to human health or the environment.

Best,

A handwritten signature in cursive script, appearing to read "R. Dalgarn".

Russ Dalgarn  
Converse County  
Emergency Management  
111 Cedar Street  
Douglas, Wyoming 82633

THE STATE



OF WYOMING

*Department Of Fire Prevention &  
Electrical Safety*

**MATTHEW H. MEAD**  
GOVERNOR

**LANNY APPLGATE**  
STATE FIRE MARSHAL

July 15, 2015

Mr. Luke Esch  
Administrator, Industrial Siting Div.  
Herschler Building, 4 West  
Cheyenne, WY 82002

Ref: Pioneer Wind Park I & II  
Docket DEQ/ISC 10-02

Mr. Esch,

I met with Brent Kunz and Marianne Shannor (HK Law Firm) last week and we went over the requirements for the fire service training with local fire departments for the Pioneer Wind Park I & II project. I have followed up with Russ Dalgarn (Converse Co. Emergency Management) and everything seems to be in order to meet "Special Condition #17.

Also for clarification there are no Fire Districts in Converse County. They are all Fire Departments within the County. If you need any further information, please do not hesitate to give me a call. Thanks in advance.

  
Lanny Applegate

Cc: Brent Kunz, Attorney - HK WYO LAW  
Marianne Shanor, Attorney - HK WYO LAW  
File Copy - DFPES

# Technical Note - Laufer Wind Aircraft Detection System

Laufer Wind

**Document No.:** 702365-USSD-T-01

**Date:** 22 July 2014



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Project name:	Laufer Wind Aircraft Detection System	DNV GL - Energy
Report title:	Technical Note - Laufer Wind Aircraft Detection System	Renewables Advisory
Customer:	Laufer Wind 270 Lafayette St., Suite 1402 New York, NY 10012	1501 4 <sup>th</sup> Avenue Suite 900 Seattle, WA 98101 Tel: 206 387 4200 Enterprise No.: 94-3402236
Contact person:	Eric Laufer	
Date of issue:	22 July 2014	
Project No.:	702365	
Document No.:	702365-USSD-T-01	
Issue:	A	
Status:	FINAL	

Task and objective:

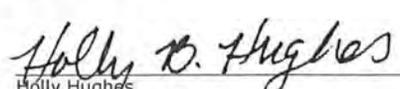
Prepared by:

  
Jake Erbe  
Senior Engineer

Verified by:

  
Sally Wright  
Senior Engineer

Approved by:

  
Holly Hughes  
Senior Manager - Turbine Technology

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Keywords:

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Reference to part of this report which may lead to misinterpretation is not permissible.

Issue	Date	Reason for Issue	Prepared by	Verified by	Approved by
A	22 July 2014	FINAL			

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## 1 INTRODUCTION

Laufer Wind has developed a radar-controlled aviation obstruction lighting system which can be used on wind power installations (hereafter referred to as an "Aircraft Detection System" or ADS). The function of the Laufer Wind ADS is to allow the Federal Aviation Administration (FAA)-required obstruction lights on wind power installations to be turned on only when aircraft are detected in the vicinity of the project and therefore, to remain off when no aircraft are in the vicinity of the project.

Laufer Wind requested Garrad Hassan America, Inc. (doing business as GL Garrad Hassan America Inc. and DNV KEMA Renewables Inc.) provide independent engineering services related to the Laufer Wind ADS, including an independent review of a system demonstration. This technical note is issued to Laufer Wind pursuant to a written agreement between Laufer Wind and GL Garrad Hassan, dated 26 July 2013 (document no. 702365-USSD-P-01), and summarizes DNV GL's review of the Laufer Wind ADS.

## 2 LAUFER WIND ADS BACKGROUND

The Laufer Wind ADS uses radars to monitor the perimeter of a wind power installation. The radars, the number of which depend on the size of the wind power project, communicate aircraft position information to a central controller, which in turn commands obstruction light controllers (mounted with the lights) to turn lights on or off.

The radars can track multiple aircrafts and the ADS manages the "loss" of aircraft as they fly above the project area (thus out of radar contact) such that obstruction lighting remains on in such circumstances. The system's fail-safe mechanism turns obstruction lighting on in the event of various system failure scenarios such as a loss of radar, loss of central controller or other communication, loss of power, or radar malfunction.

The Laufer Wind ADS radar has a specification detection distance of 12 km. Once the aircraft is detected, the ADS tracks aircraft and activates the obstruction lights if the aircraft penetrates a given radius as specified by local requirements.

## 3 REGIONAL CONSIDERATIONS

### 3.1 United States Requirements

The FAA, within the U.S. Department of Transportation, publishes regulations and guidance related to the construction or alteration of structures which may affect the national airspace system. Regarding wind turbines, meteorological towers, and other structures related to wind power installations, the FAA Advisory Circular on Obstruction Marking and Lighting [1] details FAA recommendations for lighting.

The current FAA Advisory Circular on Obstruction Marking and Lighting does not address ADS in any detail. However, the FAA has developed draft recommendations for ADS which will be included as a new chapter in a forthcoming update to the Advisory Circular on Obstruction Marking and Lighting (expected in late 2014). DNV GL reviewed the FAA draft recommendations as part of its evaluation.

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There are two critical aspects to the FAA draft recommendations: (1) the ADS must activate the obstruction lighting prior to an aircraft penetrating a volume defined as 3 nautical miles (5.56 km) from the closest obstruction (i.e. wind turbine) from ground level to 1,000 ft above the highest point of the obstruction; and (2) the ADS must activate the obstruction lighting in the event of system failure.

### **3.2 International considerations**

Obstruction lighting requirements in each country are dictated by country-specific rules and regulations. For instance, requirements for radar-activated obstruction lighting systems in Sweden and Canada have been based on a minimum activation warning time (as opposed to distance) and an assumed maximum aircraft ground speed.

Using an assumed maximum aircraft speed and a minimum activation warning time, project developers considering ADS can estimate an equivalent activation boundary perimeter. For example, an assumed maximum aircraft speed of 250 nautical miles per hour and a minimum activation warning time of 30 seconds is effectively equivalent to an activation boundary perimeter of 3.86 km. Thus, international requirements may result in more or less rigorous technical demands on the system depending on aircraft speed assumptions and minimum activation warning times. DNV GL has not witnessed the capabilities of the Laufer Wind ADS compared to any international requirements; however, in countries where the effective requirements are either equivalent to or less rigorous than United States draft FAA recommendations, the Laufer Wind ADS can be expected to comply.

## **4 SUMMARY OF SYSTEM DEMONSTRATION**

On 23 June 2014, Laufer Wind demonstrated their ADS to representatives from the FAA and DNV GL. The demonstration took place at the National Renewable Energy Laboratory (NREL) National Wind Technology Center in Boulder, CO. The demonstration included two flight tests, each including multiple aircraft flight paths, intended to test the system's response to various aircraft scenarios.

### Flight Test #1:

DNV GL witnessed the first flight test from the ground, observing both the Laufer Wind radar and ADS display and the NREL FAA obstruction lighting. During the flight test, DNV GL observed aircraft tracking by the ADS system consistently beyond 12 km. DNV GL observed the obstruction lighting system consistently activated as aircraft penetrated the 3 nautical mile radius. DNV GL observed the ADS consistently manage the "loss" of radar contact as aircraft passed above the radar's range such that the obstruction lighting remained activated until the aircraft left the 3 nautical mile radius. Additionally DNV GL observed the ADS activate the obstruction lights due to forced system shutdown, which demonstrated the ADS' response to a fail-safe scenario.

### Flight Test #2:

DNV GL witnessed the second flight test as a passenger in the test aircraft. With the aid of onboard GPS, for all flight paths, DNV GL observed obstruction lighting activate at distances beyond the 3 nautical mile radius and de-activate as the aircraft achieved distances beyond the 3 nautical mile radius. The flight test included five flight paths, each completed at different angles and altitudes.

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The FAA maintains a webpage with airport technology research & development news [2], which summarized the Laufer Wind demonstration in the following statement:

"Aircraft Detection System Evaluation: June 23 to 25, Jim Patterson traveled to the Department of Energy's National Renewable Energy Laboratory (NREL) in Boulder, Colorado to participate in an evaluation of an Aircraft Detection System developed by Laufer Wind Group. This system is designed to monitor airspace around a wind turbine farm and activate the farm's obstruction lighting when an aircraft is detected in the area. Conversely, when it does not detect an aircraft in the area, it turns the lights off. A series of flights were conducted to determine if the system performed in accordance with draft standards that the FAA has developed. The system was found to be satisfactory. A technical report will be prepared that describes the evaluation."

## 5 CONCLUSIONS

On 23 June 2014 DNV GL observed a successful test of the Laufer Wind ADS as assessed against draft FAA recommendations which are intended by the FAA to be included as a new chapter in a forthcoming update to the Advisory Circular on Obstruction Marking and Lighting. During DNV GL's observations, the Laufer Wind ADS consistently tracked aircraft from beyond 12 km and activated obstruction lighting prior to aircraft penetrating a 3 nautical mile radius.

In DNV GL's opinion, assuming proper installation of the system, the Laufer Wind ADS can meet the draft FAA recommendations, which asserts: (1) the ADS must activate the obstruction lighting prior to an aircraft penetrating a volume defined as 3 nautical miles from the closest obstruction (i.e. wind turbine) from ground level to 1,000 ft above the highest point of the obstruction; and (2) the ADS must activate the obstruction lighting in the event of system failure.

While international requirements may vary, those requirements which are based on minimum activation times have essentially the same intent as the FAA's recommendations, namely, that the ADS must activate obstruction lighting before the aircraft reaches a certain distance from the wind power installation. In DNV GL's opinion, assuming proper installation of the system, the Laufer Wind ADS has the capability to meet such requirements in countries where the effective requirements are either equivalent to or less rigorous than United States draft FAA recommendations.

## 6 REFERENCES

- [1] "FAA Advisory Circular on Obstruction Marking and Lighting" Document no. AC 70/7460-1K, [http://www.faa.gov/regulations\\_policies/advisory\\_circulars/index.cfm/go/document.information/documentID/74452](http://www.faa.gov/regulations_policies/advisory_circulars/index.cfm/go/document.information/documentID/74452).
- [2] "FAA Airport Technology Research & Development Branch News Page", <http://www.airporttech.tc.faa.gov/news.asp#jun2614> accessed 16 July 2014.



May 16, 2014

Luke Esch, Administrator  
Industrial Siting Division  
Herschler Building 4 West  
122 West 25<sup>th</sup> Street  
Cheyenne, WY 82002

RE: Notice of Compliance with Special Conditions # 16, 17, 20 and 21  
Pioneer Wind Park I and Pioneer Wind Park II  
Industrial Siting Council Docket DEQ/ISC 10-02

Dear Mr. Esch:

On July 18, 2011, the Industrial Siting Council issued its *Findings of Fact, Conclusions of Law and Order granting Permit Application with Conditions and Allocating Impact Assistance Funds* ("Permit") regarding the Pioneer Wind Parks.

The Permit contains a number of Special Conditions. As to Special Conditions # 16, 17, 20 and 21, your Permittee respectfully submits this letter and the attached Affidavit of Christine Mikell Demonstrating Compliance with Special Conditions Nos. 16, 17, 20 and 21 to demonstrate its compliance with those Special Conditions, reserving the right to supplement and provide further information should the request or need arise.

Your Permittee believes it has not only complied with the explicit written requirements of its Permit, but has in good faith gone beyond those requirements. Towards that end, it respectfully submits this Notice of Compliance with Special Conditions and the accompanying Affidavit, and requests that the Industrial Siting Division find that Special Conditions # 16, 17, 20 and 21 have been and are fulfilled.

Sincerely,

A handwritten signature in blue ink that reads "Christine Mikell".

Christine Mikell  
President, Wasatch Wind

Enclosure

BEFORE THE WYOMING INDUSTRIAL SITING COUNCIL

IN THE MATTER OF THE INDUSTRIAL )  
SITING PERMIT APPLICATION OF )  
WASATCH WIND INTERMOUNTAIN, LLC ) DOCKET NO. DEQ/ISC 10-02  
d/b/a PIONEER WIND PARK I, LLC AND )  
PIONEER WIND PARK II, LLC )

**AFFIDAVIT OF CHRISTINE MIKELL DEMONSTRATING COMPLIANCE  
WITH SPECIAL CONDITIONS Nos. 16, 17, 20 AND 21**

COMES NOW your Affiant, Christine Mikell, being duly sworn upon her oath and of legal age, and in support of the Applicant's Notice of Compliance with Permit Special Conditions #16, #17, #20, and #21, filed concurrently herewith, states and alleges as follows:

1. I am the President of Wasatch Wind Intermountain, LLC d/b/a Pioneer Wind Park I, LLC and Pioneer Wind Park II, LLC ("Applicant" or "Wasatch").
2. I participated in the preparation of the permit application in the above-referenced matter ("Application"), and am familiar with the content of the Application.
3. I attended prehearing conferences related to the Application and the ISC hearings.
4. I was present at the hearing before the Industrial Siting Council ("ISC") on the Application. These hearings took place from May 16, 2011 to May 18, 2011, then reconvened for one final day on June 13, 2011.
5. I participated in the Industrial Siting Council's hearing of the Application and I testified at the hearing on May 16, 2011 and June 13, 2011.
6. I have reviewed the transcripts of the hearing.

7. During the hearing I had the opportunity to hear the testimony of all the witnesses, listen to the questions of members of the ISC, hear the legal and factual arguments, and review all the exhibits submitted during the hearing.

8. I was present during the discussion and deliberation of the members of the ISC on July 13, 2011, and witnessed their decisions and vote on granting the Permit and its conditions.

9. I have read and reviewed the Permit issued in written form on July 18, 2011.

10. I understand Special Condition #16 of the Permit to require the Applicant to conduct and provide a second year survey of wildlife to the ISD.

11. I understand Special Condition #17 of the Permit to require the Applicant to provide evidence of training, orientation, and agreement on response actions to the Projects to personnel of adjacent fire districts.

12. I understand Special Condition #20 of the Permit to require the Applicant to participate in good faith negotiations and discussions with Pioneer Wind Park I and Pioneer Wind Park II's (collectively the "Projects") "opponent landowners" in an effort to mitigate viewshed and audio impacts of the Projects.

13. I understand Special Condition # 21 to seek FFA approval for remote control night lighting and install the same.

**I. The Parties**

14. Wasatch Wind Intermountain, LLC ("Wasatch"), is a renewable energy developer proposing to construct the Projects in Converse County, Wyoming.

15. Tracy Livingston is a founder of Wasatch, but is no longer with the company in any capacity.

16. Brent R. Kunz, Marianne K. Shanor, John A. Masterson and Alaina M. Stedillie are counsel for Wasatch.

17. Element Partners ("Element") was a primary investor in Wasatch Wind.

18. Sam Gabbita is a Managing Director of Element Partners.

19. Edison Mission Energy ("Edison") testified at the ISC hearings as to its ability and willingness to provide financial assurance for the Projects.

20. Sanjay Bhasin was the Managing Director of the Business Development Group for Wind Energy at Edison. Mr. Bhasin testified at the ISC hearing.

21. Ed Sledge was outside legal counsel for Edison.

22. Crystal Needham was inside counsel at Edison.

23. Parties formally supporting the permit application at the ISC hearing were Grant Ranch and True Ranches.

24. The Northern Laramie Range Alliance ("NLRA") is a Wyoming limited liability company and the Northern Laramie Range Foundation ("NLR") a Wyoming nonprofit corporation (collectively "NLR"). Both were parties to the ISC hearing and unsuccessfully opposed the Projects.

25. Chester and Jennifer Hornung are individuals and landowners living in the vicinity of the Projects. They were parties to the ISC hearing and unsuccessfully opposed the Projects. Ms. Hornung testified at the ISC hearing.

26. Alex Davison is a landowner in the vicinity of the Projects and is also an attorney who has taken over representation of Chester and Jennifer Hornung (Mr.

Davison's daughter and son-in-law). Mr. Davison replaced the attorney the Hornungs employed at the time of the ISC hearing, Mr. Scott Olheiser.

27. White Creek Ranch, LLC, is a Wyoming limited liability company owning land in the vicinity of the Projects, and was a party to the Converse County Permit process for the Projects.

28. Upon information and belief, Ken Lay is a member of, and the manager of, White Creek Ranch, LLC. Mr. Lay is also a member of the NLRA and on the steering committee of the NLRA. Mr. Lay was a witness at the ISC hearing.

29. Peter Nicolaysen is counsel for NLR, and a landowner in Converse County.

30. Tom Swanson is a member of the NLRA steering committee and a party to the PSC Ruling as further defined herein.

31. Sharon Rodeman is a member of the NLRA steering committee.

32. The NLRA, the NLRF, the Hornungs, White Creek Ranch, Mr. Lay, Mr. Swanson and Ms. Rodeman are collectively referred to herein as the "Opponent Parties."

33. Additional Parties participating in the ISC hearing were Natrona and Converse Counties, and the Town of Rolling Hills, though their participation was primarily focused on the allocation of impact assistance funds.

## **II. Background**

34. On or about July 18, 2011, the Wyoming Industrial Siting Council (ISC) issued its written "*Findings of Fact, Conclusions of Law and Order Granting Permit Application with Conditions and Allocating Impact Assistance Funds*" ("ISC Permit")

Consistent with its usual practice and the deliberations of the council members, the ISC placed a number of Special Conditions within the Permit.

35. Special Condition #16 reads, in its entirety:

**“Special Condition 16.** Before the start of construction of each segment of construction – Pioneer Wind Park I & II – Permittee shall provide the second year survey of wildlife to the ISD. The Director may authorize the start of construction of the segment on a favorable recommendation by the Wyoming Game and Fish Department. Notwithstanding the above the Director may authorize the Permittee, at its own risk, to begin making improvements to Mormon Canyon Road.”

36. Special Condition #17 reads, in its entirety:

**“Special Condition 17.** Before the start of construction the Permittee shall provide evidence of training, orientation, and agreement on response actions to the Facility to personnel of adjacent fire districts. It will include fire prevention, fire suppression, emergency rescue and the respective responsibilities of the Permittee and the district(s). The Director may authorize the start of construction on a favorable recommendation by the State Fire Marshall.”

37. Special Condition #20 reads, in its entirety:

**“Special Condition 20.** Upon opponent landowner agreement, the Applicant will negotiate in good faith, mitigation for visual and potential audio impacts of Pioneer Wind Projects I and II, such as but not limited to vegetative screening.”

38. Special Condition 21 reads, in its entirety:

**“Special Condition 21.** FAA approval for remote control night lighting of wind generating towers will be sought and installed within six months of FAA approval.”

39. This Affidavit is submitted to reflect Wasatch’s compliance with the above-noted Special Conditions. While the vast majority of this Affidavit will concentrate on the breadth and depth of negotiations undertaken in compliance with Special Condition #20, all of the Special Conditions noted above will be addressed.

### **III. Chronology**

40. On or about May 4, 2010, Wasatch participated in an initial “jurisdictional meeting” with the ISD.

41. On or about February 2, 2011, Wasatch filed its ISC application.

42. In numerous locations and at various dates and times, Wasatch held meetings and gatherings to present the project to interested parties and individuals. A list of all meetings and details of public and government involvement is found in Chapter 4 of the Permit Application, *Public Involvement*. This list is modified by the meetings listed herein.

43. The ISC hearing on the Permit Application was held May 16 – 18, 2011, and reconvened for a final day of testimony and argument on June 13, 2011.

44. On July 18, 2011, the ISC issued the written Permit, with findings and conditions consistent with its deliberations and decision of June 13, 2011.

45. On October 1, 2013, Wasatch appeared before the ISC with a request to change the model of turbines and reduce the number of turbines at the Projects. Wasatch’s requested amendments were granted by unanimous vote of the Council.

46. On December 18, 2013, Wasatch appeared before the ISC with a request to alter the site plan for the Projects. Wasatch’s requested amendments were granted by the Council without dissenting vote.

### **IV. Second Year Wildlife Survey – Special Condition 16**

47. Special Condition 16 required Wasatch to perform certain actions prior to the start of construction, including meeting with the Wyoming Game and Fish

Department periodically, and providing a second year of the Biological Survey Report to Game and Fish.

48. Since the date the permit was granted, Wasatch has met with Game and Fish at least four times, most recently in March 2014. It has also worked with the United States Fish and Wildlife Service (USFWS) to avoid and minimize impacts to wildlife.

49. Wasatch provided the second year Biological Survey Report to Game and Fish in 2012. This survey was prepared in consultation with Game and Fish, as well as with the agency's approval and acceptance. Game and Fish reviewed the Report and made the following comment:

The report appears complete and addresses the baseline data collection for species of concern for this project. Additionally the WGFD encourages WW to utilize these data to make final determinations of turbine locations to minimize impacts to associated wildlife. In particular, we suggest turbine string configuration consider avoidance, to the extent possible of raptor "high use areas" as depicted in the report's maps.

50. After receiving Game and Fish's recommendations, Wasatch met with the ISD and Scott Gamo (Staff Terrestrial Biologist, Habitat Protection Program, Wyoming Game and Fish Department) to discuss the improvements that were made to the layout and to minimize impacts to wildlife. These two meetings took place on October 17, 2012 and April 26, 2013. The ISD favorably recognized Wasatch's efforts to make improvements during these meetings.

51. In a letter dated April 30, 2014, the Wyoming Game and Fish Department advised the Industrial Siting Division that Wasatch had met its wildlife-monitoring obligation.

52. Additionally, in collaboration with USFWS, Wasatch reduced the number of turbines from the original 62 allowed by the permit to 46, removing eight of the ten

turbines in the northern middle string. These eight were in raptor “high use areas.” Now, there are no turbines in high use areas. These improvements were approved by unanimous vote of the ISD after public meetings and deliberations at its December 18, 2013 meeting.

**V. Training, Orientation and Agreement of Fire Districts – Special Condition 17**

53. The fire departments relevant to this Condition include the Converse County Rural First Control Association, Douglas Volunteer Fire Department, Department of Fire Prevention and Electrical Safety, Natrona County Fire Protection District, and the Natrona County International Airport Fire Department.

54. While training of these departments has not yet been completed, Wasatch has consulted with Don Claussen, the former manager for the Top of the World wind farm, regarding what training is the most appropriate.

55. Training will be held on May 17th at the Higgins Hotel in Glenrock, Wyoming. Following this training, Wasatch will provide a summary of the training, as well as regular updates, to the ISD with the contacts made to Emergency Management Agencies.

**VI. Attempts at Formal Settlement with the Opposing Parties – Special Condition 20**

56. This Section is included to reflect the breadth and depth of negotiations – especially with Jennifer Hornung, Chester Hornung and the NLR – which began **before** the commencement of the ISC hearings, and which continued up to and including the NLR’s withdrawal from negotiations on September 26, 2011, and following that withdrawal.

57. This Section is not intended to reflect each and every contact between the parties and their representatives and respective counsel. It is not intended as a log of each and every individual communication, whether oral, written, telephonic or electronic as such a log would consist of literally hundreds of pages. Rather, this Affidavit is intended to reflect, in broad terms, the good faith efforts of Wasatch Wind in meeting the demands of the Opponent Parties and to demonstrate compliance with Special Condition #20. Should additional information, evidence or testimony be sought or requested, it can and will be provided.

A. Identification of "Opponent Landowners"

58. Special Condition #20 requests Wasatch to undertake negotiations with "Opponent Landowners." While it seems clear to Wasatch that Mr. Lay, White Creek Ranch, LLC, Tom Swanson, Alex Davison, Mr. and Mrs. Hornung and the NLR would be "Opponent Landowners," it is difficult to identify beyond them who Wasatch has been asked to contact.

59. For example, at the original ISC hearing, Mr. Grady Gaubert testified regarding his concerns with the Projects. In its Permit, the ISC referred to this testimony, noting that it "was not particularly compelling in light of his admission that he purchased his property with the knowledge that wind farm development on adjacent property was likely." Permit at ¶ 70.

60. Nonetheless, as has been Wasatch's practice, Wasatch has reached out to those who identified themselves at the ISC hearing as opponents of the Projects in an attempt to address their concerns.

## B. Settlement Efforts with the Opponent Parties - Introduction

61. The common thread among the Opponent Parties and the Opponent Landowners is their membership in, and advocacy on behalf of, the NLRA and the NLRF. As a result, Wasatch's efforts to reach a mutually acceptable solution with the NLRA and the NLRF is highly relevant to an evaluation of compliance with Special Condition #20.

62. Early contacts between representatives of Wasatch and the NLR, or individuals with the NLR, were not positive. While the Wasatch careers of the individuals who initially contacted NLR members did not last long, these initial contacts laid a foundation for the NLR's cynical, untrusting and hostile view of Wasatch that remains to this day. Nonetheless, Wasatch's position has always been that it was and would remain open to discussions about mitigating the concerns of the NLR, just as it was and has been open to such discussions from any member of the community. This position was repeatedly given to the NLR, particularly at a December 15, 2009, meeting in Douglas at the Four Winds Motel between members of the NLR, including Diemer True, Ken Lay and Peter Nicolaysen, and representatives of Wasatch, including Tracy Livingston, Michelle Stevens, John Aubrecht, and John Masterson.

63. Despite Wasatch's receptiveness and desire to work with the Hornungs, the NLR and other opponents of the Projects, contact between any opponents and Wasatch were nearly nonexistent from the December 15, 2009 meeting referenced above until April 8, 2011, when face-to-face discussions began again.

64. As set forth further below, efforts at settlement between Wasatch and the Opponent Landowners were extensive, taking place over months and involving literally hundreds of hours of time and resources – likely from all who participated.

C. Settlement Efforts with the Opponent Parties – Substantive Discussions

65. Following the ISC pretrial hearing on May 10, 2011, and six days before the beginning of the contested case hearing, representatives of the Parties met to discuss the possibility of a mutually acceptable settlement agreement.

66. This initial meeting included, on behalf of Wasatch, Sanjay Bhasin, Michelle Stevens, Christine Mikell, John A. Masterson, Ed Sledge (telephonically) and Crystal Needham (telephonically). On behalf of the Project Opponents were Ms. Hornung, her father (and now her attorney) Alex Davison, and representatives of the NLR, including Peter Nicolaysen, Diemer True, Sharon Rodeman, and Ken Lay (telephonically for a portion of the meeting).

67. This initial meeting lasted approximately two and a half hours, during which time various conceptual ideas for settlement were discussed, including but not limited to: movement of turbines to mitigate viewshed concerns of the NLR, Mr. Lay and Ms. Hornung; direct monetary payments to Ms. Hornung and the NLR; payment timing and conditions; withdrawal of legal challenges to the Projects; agreements to forego any further development within certain geographic parameters; and other matters important to the parties.

68. In response to this May 10, 2011, meeting, on May 15, 2011, (the day before the ISC hearing began), Mr. Nicolaysen was provided with a draft settlement agreement prepared by Wasatch's counsel. The May 10, 2011 meeting and the written

draft set out the starting points for efforts to negotiate and resolve the concerns of the NLR and the Hornungs.

69. For the ensuing four months, the Parties exchanged drafts, adding and removing language consistent with the evolving discussions.

70. Parties to the final executable settlement agreement were Wasatch, Pioneer Wind Park I, LLC, Pioneer Wind Park II, LLC, Tracy Livingston, DFJ Element, L.P., Edison Mission Wind, Inc., Edison Mission Energy, Northern Laramie Range Alliance, Northern Laramie Range Foundation, Chester and Jennifer Hornung and Alex Davison.<sup>1</sup>

71. These efforts continued from May 10, 2011, up to September 26, 2011, at which time the NLR advised via e-mail that it was no longer interested in further discussions and would not sign the agreement. None of the Opponent Parties have ever communicated what specific terms became unacceptable after the NLR had previously agreed to them.

72. Between at least March of 2011, through the NLRA's withdrawal from settlement on September 26, 2011, there have been face-to-face meetings, hundreds of telephone conversations and conferences, and hundreds, if not thousands, of e-mails between opponents of the Projects and Wasatch, and internally among the Wasatch parties. Representative of these communications and of particular note are the following.

i. Electronic mail

73. May 15, 2011: NLR requests more time to review agreement.

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<sup>1</sup> Included within the final draft settlement agreement was a “condition precedent” to its enforceability, requiring that Ken Lay, White Creek Ranch, LLC and Tom Swanson each execute a release of claims against the Projects. Obviously, as the settlement agreement was never consummated, this requirement never took effect. Rather, it is offered to show that these parties were active participants in the negotiation process.

74. June 2, 2011: Request for a face-to-face meeting made to NLR and requesting response to written settlement agreement, NLR requesting revised viewsheds.

75. June 11, 2011: NLR e-mail to Sanjay Bhasin advising they must wait on further discussion until after the ISC hearing. Though no response was sent to the last Wasatch draft settlement agreement, NLR still wanting to move forward.

76. July 15, 2011: Sanjay Bhasin e-mails the NLR asking why Wasatch had not received the promised, revised settlement agreement.

77. July 18, 2011: NLR responds to above e-mail indicating continued willingness to explore settlement, requesting answers to a series of questions.

78. August 3, 2011: Alex Davison confirms telephonic meeting to take place on August 5, 2011 to review updated layouts and visual simulations.

79. August 7, 2011: Sanjay Bhasin e-mail to Alex Davison with request to have settlement reached by August 19, 2011. Sanjay provides contact information for Crystal Needham to Alex Davison so work can continue during Sanjay's vacation.

80. August 10, 2011: NLR now requests Ken Lay visual simulation that had been declined earlier. It is provided that day.

81. August 29, 2011: NLR writes about last settlement agreement provided them (dated August 28, 2011), addressing certain issues.

82. September 19, 2011: Wasatch advises NLR about changes that have been accepted and revised draft to follow. (Revised settlement agreement provided to the NLR on September 20, 2011.)

83. September 23, 2011: Updated Exhibits (viewsheds and turbine layouts) sent to NLR and Alex Davison. Offered a call on September 26 to review Exhibits and meet in person after that.

84. September 26, 2011: NLR advises that settlement agreement is unacceptable they will not execute the agreement.

ii. Telephone calls

85. July 1, 2011: NLR advises Sanjay Bhasin that the NLR would like to come back and work with Wasatch. NLR indicates it will supply a response to the May 15, 2011, agreement on July 5, 2011.

86. April 8, 2011: Call with Wasatch, EME and the NLR to reengage the NLR.

87. August 5, 2011: Call with Sanjay Bhasin, Michelle Stevens and Ed Sledge (telephonically) and Peter Nicolaysen, Alex Davison and Jennifer and Chester Hornung. NLR explains why it hasn't provided an edited settlement agreement and couldn't until August 16, 2011. Review of viewsheds and visual simulations as well as issues in August 2, 2011, version of the settlement agreement.

88. August 15, 2011: Telephone conference between Christine Mikell, Crystal Needham and Peter Nicolaysen.

89. August 19, 2011: Telephone conference between Sam Gabitta, Christine Mikell and Alex Davison on negotiation status and positions.

90. August 22, 2100: Telephone conference with Sam Gabitta and Peter Nicolaysen. NLR advises that they would execute the last version of the settlement agreement they had submitted (dated August 18, 2011).

### iii. Meetings

91. May 10, 2011: Beginning of negotiations, participants included Sanjay Bhasin, Michelle Stevens, Christine Mikell, John Masterson, and Ed Sledge and Crystal Needham (telephonically) on behalf of the Projects' proponents and Peter Nicolaysen, Alex Davison, Diemer True, Sally Sarvey, Sharon Rodemen and Ken Lay (telephonically).

92. June 9, 2011: John Masterson, Sanjay Bhasin, Christine Mikell, Jackson Lord and Ed Sledge and Crystal Needham (telephonically) on behalf of Wasatch and Peter Nicolaysen, Sharon Rodman, Jennifer Hornung, Alex Davison and Ken Lay (telephonically) on behalf of the NLRA. New visual layouts shown and further substantive discussions during the approximately four hour meeting.

93. June 16, 2011: Sanjay Bhasin, Christine Mikell and Alex Davison meet in Cheyenne to discuss viewsheds.

94. July 7, 2011: Meeting in Cheyenne, Wyoming between Alex Davison, Christine Mikell and Sanjay Bhasin.

95. August 24, 2011: Meeting in Casper with Christine Mikell, Peter Nicolaysen and John Masterson. Reviewed remaining settlement issues.

### iv. Exchange of written settlement agreements

96. May 13, 2011: Draft agreement sent by Wasatch to NLR and the Hornungs.

97. May 14, 2011: Draft agreement sent by NLR to Wasatch and the Hornungs.

98. May 15, 2011: Draft agreement sent by Wasatch to NLR and the Hornungs.

99. July 22, 2011: Draft agreement sent by NLR to Wasatch and the Hornungs.

100. August 2, 2011: Draft agreement sent by Edison (on behalf of Wasatch) to NLR and the Hornungs.

101. August 18, 2011: Draft agreement sent by NLR to Wasatch and the Hornungs.

102. August 28, 2011: Draft agreement sent by Wasatch to NLR and the Hornungs.

103. September 5, 2011: Draft agreement sent by Wasatch to NLR and the Hornungs.

104. September 16, 2011: Draft agreement sent by Wasatch to NLR and the Hornungs.

105. September 20, 2011: Draft agreement sent by Wasatch to NLR and the Hornungs.

106. September 26, 2011: The NLR withdraws from negotiations.

## **VII. Efforts at Settlement with Other Individuals – Special Condition 20**

### **A. Chester and Jennifer Hornung.**

107. As an initial matter, it should be noted that after listening to Ms. Hornung's testimony at the ISC hearing, and listening to that of Wasatch, the ISC found that, contrary to Ms. Hornung's testimony, the Hornungs had, in fact, had opportunity to discuss their concerns with Wasatch:

"...the Applicant has proved, by a preponderance of the evidence, it has met the notification requirements in the statute. The statutes do not require personal notification. The Wasatch Wind developers also conducted several meetings with the local residents to discuss concerns and mitigate impacts. The Hornung's had an ample opportunity to participate at the meetings and contact Wasatch Wind. Wasatch Wind complied with all notification requirements in this matter." (*sic*)

ISC Permit at Paragraph 69.

108. Nonetheless, Wasatch went further, including the Hornungs and their counsel, Mr. Davison, in the settlement discussions referenced above.

109. Ms. Hourning's statement at the ISC hearing are nonetheless disconcerting. During her May 17, 2011, sworn testimony before the ISC, in response to questions from her then-attorney, Scott Olheiser, Jennifer Horning testified, in part, as follows:

Q. Did anyone contact you from Wasatch, regarding this project?

A. My first contact - **and only contact** - with Wasatch was at their open house. Um, we were there a little early because we had eaten in town and we had the kids with us and we didn't want to go home and come back in. Um, they asked us to leave. And my husband asked: Is there something you don't want everyone to hear? And then we were promptly sent Sam Lichenstein, who basically distracted us from what they were talking about and offered some condolences and said, yes -- you know, you will probably see some. And that was my -- the extent of our conversation. He did give us a card and -- and sort of shrugged us off -- um, is the feeling that we got from that. (Emphasis added.)

Transcript pp. 537 – 538.

Q. The open house that you're speaking of, what's the time frame of that? Do you recall when that was?

A. That was November. November 9th.

Q. Did anyone from Wasatch ever come to your home to visit with you?

A. No.

Q. Did you receive any phone calls from any of the individuals at Wasatch?

A. No.

Q. Do you know if your husband did?

A. He did not.

Page 539.

Q. Do you know if the location of your house was ever requested by Wasatch?

A. I do not know if they have.

Q. Okay. Earlier today -- or I'm sorry, earlier in the hearing process -- and I don't know that you were here for this yesterday. However, there was testimony, I believe from Ms. Mikell, that a view shed analysis had been done of your property.

A. (Witness nodded.)

Q. What do you know about that?

A. I don't know anything about that.

Q. Have you received any information about a view shed analysis for your property, from Wasatch?

A. No, I have not.

Transcript at p. 540.

Q. What is your feeling with regard to Wasatch addressing the concerns and the issues that you have with regard to this project?

A. Can you ask that again?

Q. Sure. How have you felt Wasatch has accommodated you in the concerns and the issues you, as a landowner adjacent to this project, have?

A. I don't think that they have taken anything seriously. I felt they didn't take it seriously at the open house. Um, and they have yet to contact me, even though I've stood 2 feet away from Michelle Stevens at hearing after hearing after hearing of the Converse County Commissioners. Not a word. So I feel shrugged off.

Transcript at pp. 548 – 549.

A. Wasatch did their entire layout without contacting us. Um, we're their nearest neighbor. We've lived there year-round. We're by far the most impacted people - - negatively impacted people by this project. Um, none of the participants have anything close to what we have in this, if you look at a percentage of their ownings. This is everything we have. I worry about my kids growing up. I worry about losing our life savings to this. Um, these turbines may be on paper, but our home is on concrete. Um, I know that it's difficult to move turbines. I know that this is a difficult process. Um, **but Wasatch made the choice not to talk to us.** And they did it in and now I think they should change it. Um, to me, it seems very unfair. (*sic*) (Emphasis added.)

Transcript at p. 551.

110. Contrary to the above testimony, a meeting took place at the Holiday Inn in Casper, Wyoming, before Ms. Hornung's testimony,

106. Transcript of hearing on June 24, 2013, Page 53, statement by Ms. Hornung:

I have not spoken with anyone from Wasatch since the last hearing. So in relation to my condition, nothing has been done on that.

111. Nonetheless, Wasatch took it upon itself to attempt to mitigate the Hornung's concerns.

112. Since the original Permit was granted, Wasatch moved 9 turbines farther west from the Hornung residence. Five of those were moved about at least a one-quarter of a mile, and in some cases one-half of a mile, farther away from the Hornung residence than their original location.

113. Eight of the turbines that were directly in the viewshed of the Hornung's and are now totally eliminated from the Hornung's viewshed, meaning they can no longer see the turbines from their residence.

114. From the visual simulation perspective, with the permitted site plan, the Hornungs can now only see nine turbines and tips of two other turbines. In the original permitted layout, the Hornungs could see significantly more.

### B. Grady Gaubert

115. Mr. Grady Gaubert, a landowner in the vicinity of the Projects, was not a formal party to the ISC hearing, but testified at the ISC hearing about his concerns with the Projects. The ISC Permit referenced his concerns in the Permit, stating:

For instance, the Council finds Gaubert's testimony in opposition to the Projects was not particularly compelling in light of his admission that he purchased his property with the knowledge that wind farm development on adjacent property was likely.

ISC Permit at Paragraph 70.

116. While it is therefore unclear whether Mr. Gaubert is an "opponent landowner" referenced in Special Condition #20, Wasatch had repeated contacts with representatives of Wasatch from July 2011 through September 19, 2011.

117. Mr. Gaubert has never made any demand or request of Wasatch, so it is unclear what, if any, concerns he may have.

118. At the time of the hearing, Mr. Gaubert was able to see almost the entire southern layout from his ranch. With the permitted site plan, Wasatch reduced the number of turbines visible from Mr. Gaubert's ranch by nine.

### C. Gerald Epperly

119. Gerald Epperly has also expressed concerns about the effect the Projects may have on his property, though he was neither a party to the ISC process nor did he testify at the hearing. It is therefore unclear as to whether the ISC intended him to be an "Opponent Landowner."

120. Nonetheless, Wasatch communicated with Mr. Epperly about the effects the Projects may have on his property. These efforts include various contacts in mid-2011 as well as direct discussions with Mr. Epperly, beginning in earnest in July, 2011.

121. Discussions with Mr. Epperly progressed to negotiations between Wasatch and Mr. Epperly's counsel, Mr. Craig Shanor, on an agreement to address his concerns. These discussions progressed to the point of a purchase agreement being sent by Wasatch to Mr. Epperly and his counsel in the summer of 2011.

122. With the evolution of the discussions with the Opponent Parties and Wasatch and the changing nature of the number of turbines and their location, as well as the legal challenges which were mounted against the Projects and delayed them, the impact of the Projects upon Mr. Epperly, if any, and any concerns Mr. Epperly may have are unknown.

123. Neither Mr. Epperly nor his counsel have ever made any demand or request of Wasatch, so it is unclear what, if any, concerns may remain.

#### D. Ken Lay and White Creek Ranch

124. Mr. Lay was one of the most vocal opponents of the Projects, testifying at length at the Hearing, and actively participating in settlement negotiations.

125. At the time of the Hearing, Mr. Lay could see several turbines in the southern and northern strings. Pursuant to the new layout, Wasatch moved four of the turbines visible to Mr. Lay and White Creek Ranch. This move mitigated and removed visibility of turbines and blades from the view of Mr. Lay and White Creek Ranch.

126. It should be recognized that outreach to some opponents of the projects would be futile. Mr. Lay and White Creek Ranch should be considered part of such a group. At the ISC hearing, on May 18, 2011, Mr. Lay testified that he wasn't interested in anything other than the complete removal of the Projects from the permitted area:

Q. Did Wasatch ask you what they could do to try to help you address your concerns?

A. Yes.

Q. And what your response?

A. We suggested to them that if they found a different location, away from the -- out of the mountains, that we wouldn't -- that would address our concerns.

Q. Basically, it was: If you will go somewhere else.

A. That's correct.

Transcript at pp. 1013.

127. Given these beliefs, it should be recognized that in many instances, among them Mr. Lay's, the only acceptable mitigation is categorical denial of these permitted Projects.

#### E. General Public Outreach

128. Over the course of the planning for the Projects, Wasatch has met or reached out to at least 230 individuals and groups to educate them about the project or who wished to ask questions or expressed concerns about the Projects.

129. To the best of my knowledge, there are no other groups or individuals who have sought, or are currently seeking, to have discussions with Wasatch to mitigate any concerns.

### **VIII. General Mitigation Efforts – Special Condition 20**

130. Since the original Permit was granted, Wasatch has reduced the number of turbines from 31 in the northern area to 24. Wasatch has reduced the total number of turbines in both Projects from 62 to 46.

**IX. Good Faith – Special Condition 20**

131. Special Condition #20 states that Wasatch, as the Applicant, is to negotiate in good faith.

132. Wasatch believes it has demonstrated its good faith by continuing to negotiate and engage in outreach, trim the economics of the Projects, relocate turbines, incurring costs through redesign and additional studies, attempting to make financial payments up to \$7 million, and taking other affirmative and proactive steps to reach compromise.

133. During the negotiations with the Opponent Parties, Wasatch and its partners incurred time and expense in the form of lost work on the projects themselves, the use of valuable resources to make requested changes and in time spent for consultants and attorneys to be involved in this process.

134. For example, and as the Council is aware, turbines cannot simply be moved, at random, within a project site. The location of each individual turbine impacts the viewshed of others, impacts the production of the turbines in the short and long term, impacts construction costs, impacts transmission costs, impacts capital costs and requires new and/or additional study, research and preparatory work, including wildlife studies, economic studies, transportation and road studies, cultural studies and environmental studies, among others.

135. Further, Wasatch continued to negotiate with the Opponent Parties even while they took affirmative action in an attempt to damage the reputation and financial capability of Wasatch and its partners, as well as to hinder the Projects through collateral legal attacks.

136. For example, on July 20, 2011, the NLR sent a letter signed by members of its steering committee, to various investors in the Projects as well as executives of Edison Mission Energy the financial backer of the Projects. These letters were a continuation of activity the NLR and its members had been engaged in since at least March 10, 2010. The July 20, 2011, letters, among other things, reiterate the NLR's accusation that the Projects, and consequently Wasatch, are violating federal law in the form of the rules and regulations of the Federal Energy Regulatory Commission ("FERC"). Copies of these letters were sent to federal and state elected officials as well. Wasatch further notes that these claims were brought by the NLR to the 10th Circuit Court of Appeals, who rejected them. *Northern Laramie Range Alliance v. Federal Energy Regulatory Commission*, 733 F.3d 1030 (10th Cir. 2013)

137. Based upon the above, including our successful discussions with other parties about their concerns, the mitigation efforts we have conducted, the time frame of our negotiations with the NLR and the Hornungs, the depth and extent of our negotiations with the NLR and the Hornungs, and the concessions and compromise Wasatch has offered, we believe we have complied with Special Condition #20, in both spirit and intent.

#### **X. FAA Approval of Lighting – Special Condition 21**

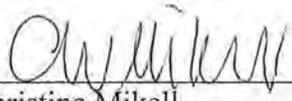
138. The FAA has indicated to Wasatch that it is very close to releasing its new Advisory Circular which will allow for radar activated lighting. While Wasatch expects that this Circular will be issued within a year, it cannot provide a definitive date at this time.

139. Laufer Wind, our preferred vendor, is in the most advanced discussions with the FAA, among all vendors, in terms of arranging for a demonstration to the agency. This demonstration will verify that the Laufer Wind system will be able to meet the upcoming Advisory Circular guidelines, and thus be an acceptable technology to deploy at the Projects.

140. All of Wasatch's EPC bids take into account that Wasatch will be using this technology; if the technology is not approved, Wasatch will ensure the system could be added at a later date. To ensure this, Wasatch will deposit money into an escrow account at an appropriate time, pursuant to the terms of its permit with Converse County.

FURTHER YOUR AFFIANT SAYETH NOT.

Dated this 14 day of May, 2014.

  
Christine Mikell

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF Salt Lake        )

Subscribed and sworn to before me this 14 day of May, 2014, by Christine Mikell, whose identity was proven to me on the basis of satisfactory evidence to be the individual whose name is subscribed to this instrument, and who personally appeared before me and acknowledged that she executed it as her voluntary act and deed.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 3.30.17

