



Ohio Administrative Code

Rule 4906-4-10 Notice and reports of incidents involving wind farm facilities.

Effective: December 21, 2020

(A) Telephone notice of incidents.

(1) Wind farm operators should notify the boards executive director by calling: 1-844-OHCALL1 (1-844-642-2551), as well as local law enforcement and first responders on all incidents involving a wind turbine, within thirty minutes after discovery unless notification within that time is impracticable under the circumstances.

(2) For purposes of this rule incidents include, events where:

(a) There is injury to any person.

(b) There is damage to property other than the property of the wind farm operator.

(c) Where an event such as tower collapse, turbine failure, thrown blade or hub, collector or feeder line failure, ice throw, or nacelle fire, causes damage to the wind farm operators property that is estimated to exceed fifty thousand dollars, excluding the cost of electricity lost, which is the sum of the estimated cost of material, labor, and equipment to repair and/or replace the operators damaged property.

(B) Written reports regarding incidents.

(1) Within thirty days after the incident is discovered, a wind farm operator will submit a written report to the executive director describing the cause of the incident, where ascertainable, and any damage to the wind farm facility or to neighboring properties or persons, on a form provided by the board.

(2) Each wind farm operator will also docket, in the wind farm certificate case, a final written report on a form provided by the board within sixty days after discovery of the incident, unless the wind



farm operator:

- (a) For good cause shown, demonstrates more time is needed; and
- (b) Submits interim reports to the executive director at intervals of not more than sixty days until a final report is docketed.
- (C) Each final written report will address:
 - (1) Cause of the incident;
 - (2) Date and time the incident occurred and date and time it was discovered;
 - (3) If the incident involved a turbine, the distance between debris and the wind turbine base;
 - (4) If the incident involved a turbine, the distance between debris to habitable structures and property lines, and photographs of the debris field;
 - (5) A narrative description of the incident and actions taken by the wind farm operator, including a timeline of events;
 - (6) What, if any, damage occurred to the property within the wind farm facility;
 - (7) What steps were necessary to repair, rebuild, or replace damage to any property within the wind farm facility;
 - (8) What, if any, personal injury was caused by, or related to, the incident;
 - (9) What, if any, damage to properties within or adjacent to the wind farm project area was caused by, or related to, the incident;
 - (10) What, if any, steps were, or will be, taken to prevent future incidents.



(D) Staff investigation and restart.

(1) Staff will investigate every incident that results in a report being submitted pursuant to this rule. Except as necessary for public safety, a wind farm operator should not disturb any damaged property within the facility or the site of a reportable incident until after staff has made an initial site visit. Staff will make its initial visit to review any damaged property within three business days of the notice provided for in paragraph (A)(1) of this rule unless otherwise prohibited from accessing the area of the damaged property by public safety officials.

(2) A wind farm operator will not restart any damaged property within a facility involved in a reportable incident until such restart is approved by the boards executive director or the executive directors designee pursuant to the following process:

(a) Such approval is premised upon the filing of:

(i) A complete and final written report fully addressing the factors set forth in paragraph (C) of this rule,

(ii) A representation by the wind farm operator that it is ready to restart the damaged property, and,

(iii) A notarized statement that a satisfactory repair or replacement of the damaged property has been completed from:

(a) A licensed professional engineer;

(b) A qualified representative from the manufacturer of the damaged equipment; or

(c) A person employed by or hired by the operator having appropriate qualifications under the circumstances to provide the required statement.

(b) Unless otherwise suspended for good cause shown by the board, executive director, or an administrative law judge, a wind farm operator may restart damaged property five business days after docketing the information required in this rule.