

1 S.171

2 Introduced by Senator Rodgers

3 Referred to Committee on

4 Date:

5 Subject: Energy; public service; facility siting; electric generation; wind  
6 turbines; setbacks; noise

7 Statement of purpose of bill as introduced: This bill proposes to require, for  
8 wind generation projects exceeding 150 kW, a setback of 10 times the turbine  
9 height and a nighttime interior sound limit of 30 dBA.

10 An act relating to setbacks and noise limits for wind generation facilities

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 30 V.S.A. § 248(b) is amended to read:

13 (b) Before the Public Utility Commission issues a certificate of public good  
14 as required under subsection (a) of this section, it shall find that the purchase,  
15 investment, or construction:

16 \* \* \*

17 (12) With respect to an in-state generation facility exceeding  
18 150 kilowatts in capacity that produces electric energy using wind:

19 (A) will locate each wind turbine, and any sound-producing  
20 equipment within the footprint of the turbine array, a horizontal distance from

1 the nearest residence that is not less than 10 times the turbine's height, as  
2 measured from the base to the tip of a blade in the upright, vertical  
3 position; and

4 (B) during operation, will not result in a sound pressure level  
5 between 9:00 p.m. and 7:00 a.m. in excess of 30 dBA in any interior bedroom  
6 of a residence, measured in one-minute intervals.

7 Sec. 2. EFFECTIVE DATE; RELATIONSHIP TO EXISTING RULES

8 (a) This act shall take effect on passage.

9 (b) Sec. 1 shall supersede any contrary provisions of the rules of the Public  
10 Utility Commission (Commission).

11 (c) Within 60 days of this act's passage, the Commission shall file with the  
12 Secretary of State proposed changes to its rules to be consistent with Sec. 1.