

House File 2580

H-8227

1 Amend House File 2580 as follows:

2 1. Page 9, after line 24 by inserting:

3 <16. a. Prior to the commencement of construction of a wind
4 energy conversion facility, the owner or operator shall, at the
5 owner's or operator's expense, cause to be performed baseline
6 testing of soil and water quality on all nonparticipating
7 property within one-half mile of any proposed turbine location.
8 The baseline testing shall include, at a minimum, all of the
9 following:

10 (1) Soil sampling at a depth of zero to six inches and six
11 to twelve inches at locations determined by a grid pattern with
12 sampling points no more than five hundred feet apart.

13 (2) Analysis of soil samples for the presence and
14 concentration of fiberglass particles, microplastics, bisphenol
15 A, epoxy resin compounds, and polyurethane compounds.

16 (3) Water sampling from all potable water wells,
17 agricultural drainage tile outlets, open drainage ditches,
18 streams, ponds, and other surface water features within
19 one-half mile of any proposed turbine location.

20 (4) Analysis of water samples for the presence and
21 concentration of fiberglass particles, microplastics, bisphenol
22 A, epoxy resin compounds, and polyurethane compounds.

23 b. All baseline testing shall be performed by an independent
24 environmental testing laboratory certified by the department of
25 natural resources. The laboratory shall not be affiliated with
26 the facility owner, operator, or any turbine manufacturer.

27 c. Baseline test results shall be filed with the county
28 recorder and the department of natural resources no later than
29 thirty days prior to the commencement of construction. A copy
30 of all baseline test results shall be provided to each owner of
31 nonparticipating property on which testing was performed.

32 d. Following the commencement of commercial operation,
33 the owner or operator shall cause identical soil and water
34 testing to be performed at the same locations and under the
35 same protocols as the baseline testing at all of the following

1 intervals:

2 (1) Annually for the first five years of commercial
3 operation.

4 (2) Every two years thereafter for the remaining life of
5 the facility.

6 (3) Within sixty days following any catastrophic blade
7 failure event.

8 e. All periodic test results shall be filed with the county
9 recorder and the department of natural resources within thirty
10 days of receipt by the facility owner or operator. A copy of
11 all periodic test results shall be provided to each owner of
12 nonparticipating property on which testing was performed.

13 f. If any periodic test reveals an increase in the
14 concentration of fiberglass particles, microplastics, bisphenol
15 A, epoxy resin compounds, or polyurethane compounds that
16 exceeds the baseline measurement by a statistically significant
17 amount, the facility owner or operator shall, within thirty
18 days, submit to the local authority and the department of
19 natural resources a remediation plan describing the measures to
20 be taken to address the contamination. The facility owner or
21 operator shall bear all costs of remediation.

22 g. All costs of baseline testing, periodic testing, and any
23 resulting remediation shall be borne solely by the facility
24 owner or operator.

25 h. This subsection shall not apply to a renewable electric
26 power generation facility that does not include a wind energy
27 conversion facility.>

28 2. By renumbering, redesignating, and correcting internal
29 references as necessary.

THOMSON of Floyd