

Basic Decommissioning Terms

This Decommissioning section was derived from the Eddington (Maine) [Wind Ordinance](#). Use these words as a basis to create your own law to address this very significant matter: Copy-Paste-Edit...

Decommissioning and Site Restoration Plan Requirements.

An Application for a Wind Energy Facility (WEF) Site Permit shall include a Decommissioning and Site Restoration Plan ("Plan"), containing the information and meeting the requirements in this section.

1 - The Plan shall provide for the decommissioning of the WEF site (which includes all community parcels that have related access roads, transmission lines, etc. on them). Decommissioning shall begin upon the expiration or revocation of the WEF Permit, or upon the abandonment of the WEF. A WEF shall be deemed abandoned if it has ceased producing electricity for six (6) consecutive months.

2 - The Plan shall provide for the removal from the WEF site (and lawful disposal or disposition of) all: Wind Turbines and other structures, hazardous materials, electrical facilities, foundations, and access roads. The Plan shall also provide for the restoration of the WEF site to a condition similar to that which existed before the WEF construction, and an inventory of any invasive species and a plan for their removal. Parts of these may be waived by the Planning Board, if the Applicant (which includes owner and operator) provides satisfactory reason, or adequate financial compensation.

3 - The Plan shall include provisions for financial surety (satisfactory to the Planning Board) to meet all financial obligations to the community, including decommissioning. A performance bond (or acceptable equivalent) of at least one hundred thousand dollars (\$100,000) per turbine, held by the Town, shall be acceptable surety. Failure to maintain the surety account shall be cause for revocation (or denial of renewal) of the WEF Operational License.

4 - The Plan shall include written authorization from the WEF Applicant (and signed by all owners of all affected parcels) for the Town to hire contractors to access the WEF site and implement the Plan, in the event that the WEF Applicant fails to implement the Plan in a reasonable time and manner. The written authorization shall be in a form approved by the Planning Board and recorded in the County Registry of Deeds.

5 - The burden of compliance with all aspects of this Ordinance is on the Applicant of the WEF. Approval of a Site Permit and Operational License by the Planning Board does not revoke or reduce the responsibility of the Applicant to comply with this Ordinance. Consistent violations of this Ordinance may lead to revocation of the WEF Operational License.