

Did you know that your property is located near a proposed 50MW solar facility in Amherst named Piney River Solar? It is to be built and operated by a foreign company, Energix Renewable Energies, on 389 acres of agriculturally zoned land located between Patrick Henry Highway and Rose Mill Road and between Piney River and Maple Run.

Are you ready to live next to 150,000 toxic heavy metal solar panels? If not, contact county officials.

You may want to address this issue in county meetings to be held at 153 Washington Street in Amherst on March 16th and April 18th at 7:00 p.m. to oppose the Conditional Use Permit (CUP) of Caden Energix Piney River Solar LLC and the siting agreement. This document includes the terms and conditions to mitigate the impacts of the solar project and the financial contributions to address capital needs of the county. Although Energix will offer a token amount of money to the county as an incentive to permit this power plant, Energix's foreign owners will make \$152 million in revenue over 20-35 years—according to their typical production multiplied by 2023 Energy Information Administration Virginia electricity prices of \$52 per megawatt hour.

County Rejections of Energix:

- ✓ New Kent County, Energix application withdrawal of New Kent Solar LLC, November 2022
- ✓ Pulaski County: Permit denied to Energix Helios Solar LLC, October 2022
- ✓ Caroline County: Permit denied to Energix Racehorse Solar, September 2022
- ✓ Dinwiddie County: Permit denied to Energix Lily Pond Solar, October 2021
- Franklin County, Energix application withdrawal of Westlake Solar, LLC

Energix may be a problematic neighbor. It has violated four state environmental laws at its sites throughout the Commonwealth and has been **fined over \$90,000** by the Department of Environmental Quality. In particular, we have documented evidence of erosion and stormwater runoff, Cadmium Telluride (CdTe) solar panel utilization with no prepaid recycling contracts, inadequate decommissioning bonds, and human rights abuses overseas and in Virginia. ***We do not want this to happen in Amherst County.***

Erosion and Stormwater Runoff Concerns

- The Department of Environmental Quality (DEQ), on June 8, 2022, issued an enforcement action against Energix and fined them \$68,500 because of **violations of four state environmental laws** at the Caden Energix Wytheville solar site. The total number of citations, violations and stop work orders that were levied against Energix by the Town of Wytheville, Wythe County, and the DEQ number above 40.



Erosion on slope decreases capacity of ditch at Caden Energix Wytheville, SWVA DEQ inspector's report

- The State Water Control Board, on June 8, 2022, **issued an enforcement action against Energix at its Buckingham Solar II site and fined them over \$23,000** because of stormwater runoff and erosion concerns. Energix violations of seven sections in the VA Code in addition to seven conditions in the county's 2019 permit reinforce our belief that Energix is willing to harm neighboring communities in the pursuit of federal solar energy tax credits.

CdTe Solar Panel Concerns

- Energix **exclusively** uses solar panels that consist of **Cadmium Telluride** (CdTe), which is a toxic heavy metal that has the potential to leak into soil and water. Four U.S. Government agencies designate CdTe as hazardous, four Virginia counties **forbid its use**, and two require annual testing of soil and water.
- Each of Piney River Solar's 150,000 panels contains up to four grams of CdTe. That makes a total of 1,282 pounds of toxicity that may potentially contaminate county soil, shallow wells, and the Piney River. And, because the Piney River eventually flows into the James River, will the Chesapeake Bay be impacted as well?

Human Rights Concerns

- Energix has imported its worst practices from overseas. Listed as # 32 by the United Nations as a Category G company, Energix has appropriated land and resources that do not belong to them on which it has built solar and wind facilities. Although Energix cannot appropriate land in Virginia without compensation, Energix may have violated Virginians' right to freedom from property damage by others and Virginian's right to freedom from toxic trespass. Residents of Amherst have the right to clean water and productive farmland.

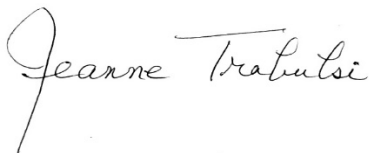
Because of the poor track record of Energix cited above and the real possibility of lower property values for your home, please ask county officials to uphold their mission statement "to nurture a vibrant and healthy community" and deny permitting privileges to Piney River Solar LLC.

Furthermore, ask them to ban CdTe solar panels, to mandate that Energix publicly file a prepaid recycling contract so that the county landfill is not used as a dumping ground for used solar panels, and to mandate that Energix have an adequate decommissioning bond that does not include false salvage values for panels—burial costs for which may cost \$10 million if encased in concrete.

In closing, we ask you to join with your neighbors to form a Piney River Citizens for Responsible Solar group and to participate in the community meetings. Call to confirm at (434) 946-9400.

Thank you for your advocacy in keeping Amherst a safe and healthy and attractive place in which to live and do business.

Respectfully yours,

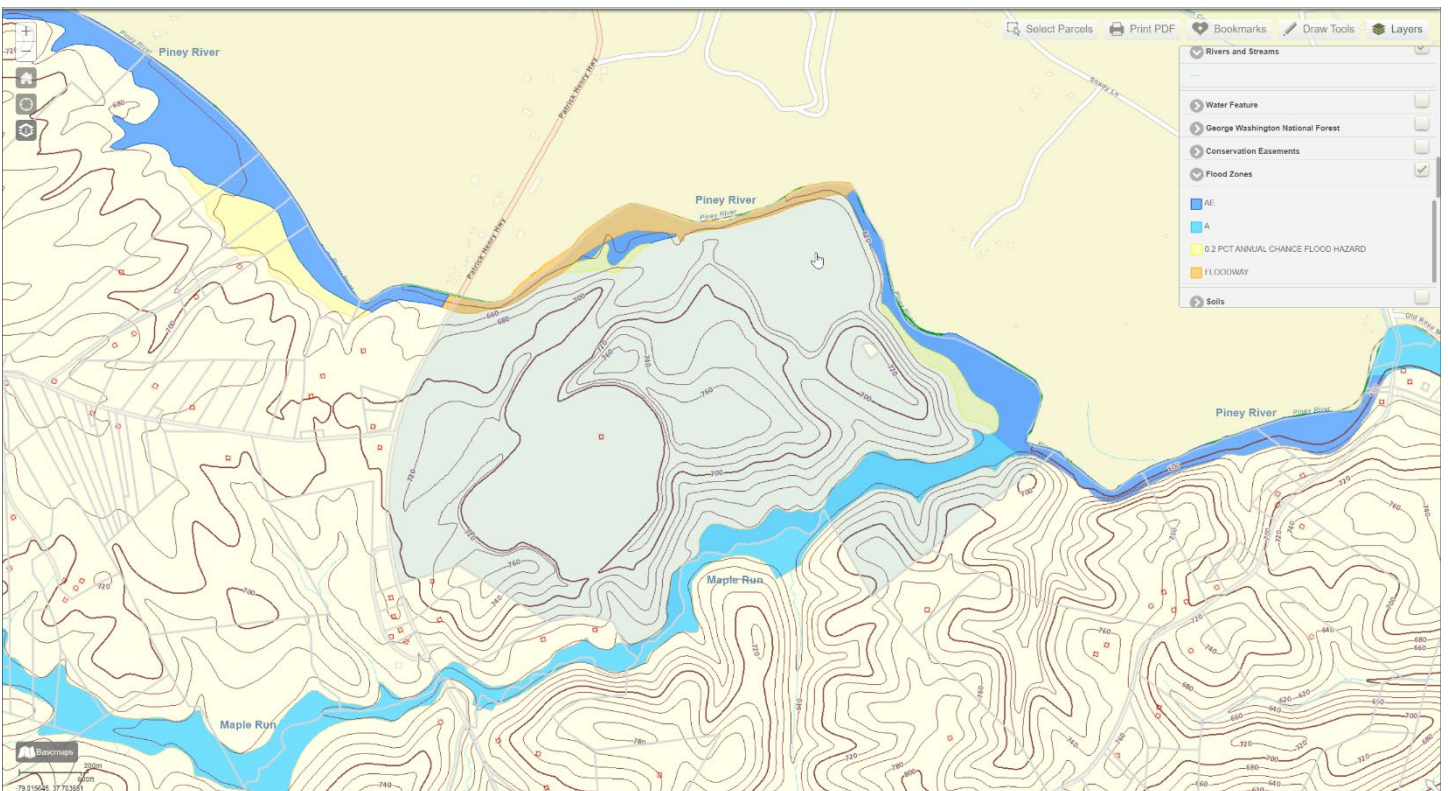


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Piney River Solar, LLC—Piney River forms the northern border of Piney River Solar, LLC. Will hundreds of acres of trees be cleared to accommodate this power plant?



Piney River Solar, LLC—Contour Map. Site parcel in light blue. Note the 100-foot difference in elevation between the highest point in the center and the lowest point on the banks of the Piney River. Will contaminants from the solar panels leach into the floodplains of the Piney River and Maple Run?



Questions for Energix

1. Energix implies that its presence will benefit the local economy. Given the size of the project and current EIA electricity price forecasts, the company may produce \$156 million in revenue over 35 years. The county gets \$8 million. How much will go to Energix's foreign owners? How much will we get?
2. We understand that Energix will use Cadmium Telluride (CdTe) solar panels for Piney River Solar. Does Energix acknowledge that Cadmium Telluride (CdTe) is a hazardous material? Or are the EPA and OSHA and NIH wrong?
3. Academic studies estimate that four grams of toxic Cadmium are needed to produce each CdTe solar panel. That means Energix will be importing 1,282 pounds of Cadmium into Amherst County. Is that correct? If not, how much Cadmium is there in each panel, and what will be the total amount imported into the county?
4. In 2015, a tornado shattered 200,000 CdTe panels at the Desert Sunlight solar power plant. Shattered panels had to be treated at a hazardous waste facility. Can Energix or its solar panel manufacturer publicly file the Toxicity Characteristic Leaching Procedure report performed at the site for review by the Board of Supervisors and Amherst County stakeholder?
5. In response to Louisa County community demands, Energix agreed to monitor nearby soil and water for Cadmium Telluride leaching at its Energix Aditya LLC site. Would Energix do the same for Piney Creek and other Chesapeake Bay watersheds?
6. Will Energix contract with First Solar for the recycling of all 150,000 solar panels at the end of the project? Has Energix publicly released a single recycling contract with First Solar for any of its operational Virginia solar sites? If so, what are the names of the sites and can we see the contracts?
7. Energix proposes that it could sell CdTe panels to the public on eBay at its [Caden Energix Hickory site](#) in Chesapeake. The manufacturer First Solar does not respond to secondary market requests for recycling, and even asks for purchase contract numbers on its [recycling request form](#). Does Energix want to see Amherst County salvage yards and roadsides filling up with CdTe panels like they do in California? Does Energix intend to sell degraded First Solar CdTe panels to locals in Amherst County?
8. If Caden Energix Piney River LLC goes bankrupt and the Department of Energy has to come in to encase the CdTe solar panels in concrete for toxic burial, it would cost \$10 million — according to past real world figures. Who would pay for that?
9. Reports on the internet say Energix is a UNHCR human rights violator that illegally built a solar utility on Israeli occupied territory in the West Bank. Did Energix do that? Is it still on a UN list?
10. Energix retaliated against landlord Eric Crowgey for being a steward of the Wythe County environment. Energix failed to pay a contractor, Kanawha Stone Company, for its DEQ-mandated remediation work, which led to Kanawha's placement on November 10, 2022 of a [\\$213,369.29 mechanic's lien](#) on Crowgey's land. Crowgey cannot sell, mortgage, or lease the land until Energix pays the bill. Will Energix engage in similar tactics in Amherst County?