



FOREIGN GOVERNMENT INTERFERENCE?

ISRAELI COMPANY AND UN HUMAN RIGHTS VIOLATOR ENERGIX UNDER SCRUTINY FOR ENVIRONMENTAL VIOLATIONS IN US

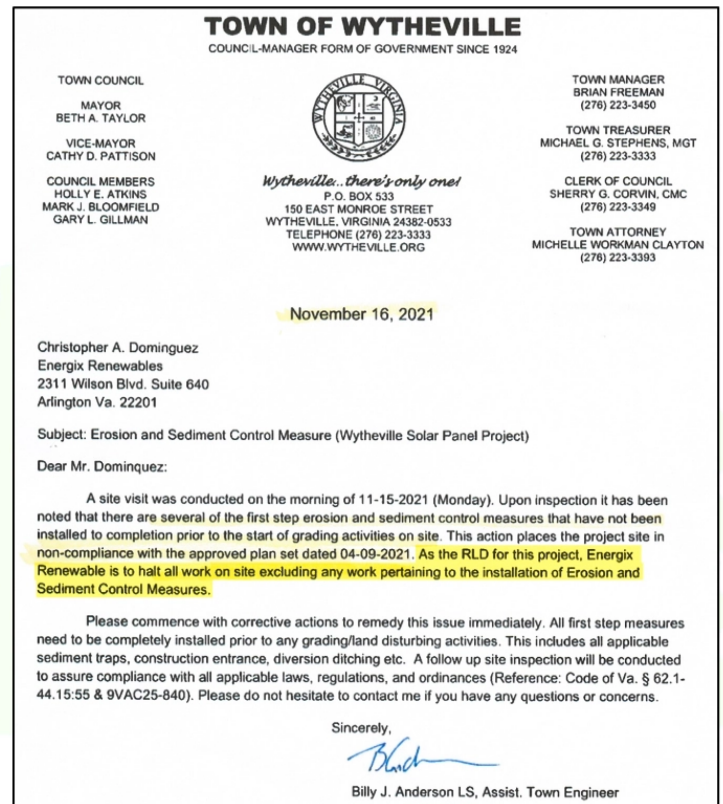
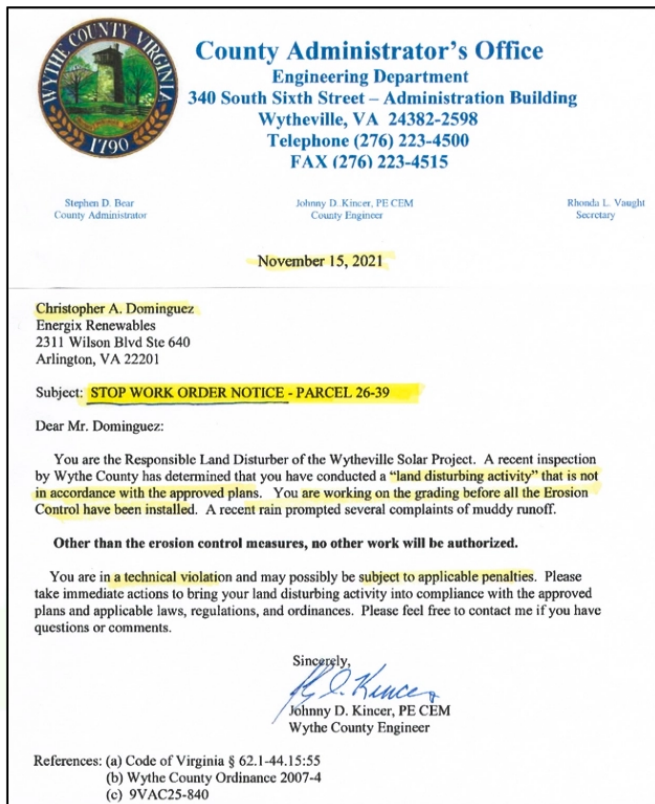
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Israeli renewable energy firm and UN-designated human rights violator, Energix is under scrutiny from government agencies and activists alike for environmental violations stemming from its solar panel projects in Virginia. The company has been fined over \$90,000 by ten counties and two state agencies for causing environmental damage and has faced pushback in implementing its solar projects.

According to data collected by the Virginia Coalition for Human Rights (VCHR), the Virginia Department of Environmental Quality (DEQ) and the State Water Control Board fined Energix about \$92,000 on June 8 for environmental violations at its solar sites in Wythe and Buckingham counties. The violations are mainly attributed to sediment contamination, lack of proper sediment control measures, and erosion and stormwater runoff causing “land disturbing activities.”



Stop Work Order Notices issued November 2021 by Wythe County and Town of Wytheville.

Courtesy | © Virginia Coalition for Human Rights

According to the Environmental Protection Agency (EPA), sediment is sand, clay, and other soil particles that stormwater carries into nearby bodies of water. The EPA classifies sediment as the most common pollutant in rivers, streams, and lakes; and downgrades the quality of drinking water, damages wildlife habitats, and can cause toxic algae blooms.

VCHR activist Jeanne Trabulsi explained that the fines are part of draft enforcement orders, so any actions and fines related to them are only proposed and not official yet.

As reported by local press outlet, *The Farmville Herald*, the consent orders must undergo a public comment period, ending Aug. 3, before decisions are finalized. VCHR has submitted a public comment regarding Energix's environmental and human rights concerns and requesting that the DEQ revoke its permit.

Energix did not respond to press inquiries regarding the fines and environmental concerns. However, Energix did admit to the violations in the consent orders.

The hefty fines are not the only obstacle Energix is facing in Virginia. In Rockingham County, landowners sued the Board of Supervisors (BoS), government officials overseeing county operations, and Energix over the planned Caden Endless Energix Caverns site because the project violated newly-passed solar zoning guidelines. The BoS in Dinwiddie County voted down Energix's bid to build an 80 megawatt "Lily Pond" utility due to environmental concerns.

In Franklin County, Energix was forced to withdraw its application for a proposed 20-megawatt solar project due to property owners' concerns over toxic runoff from its Cadmium Telluride (CdTe) solar panels. And in Buckingham, Caroline, Chesterfield, Madison, Prince George, and Spotsylvania counties, officials banned or prohibited Energix's installation of CdTe solar panels, which contain toxic heavy metals.

Energix only installs CdTe solar panels, which just 5% of the solar industry uses. CdTe is listed on the EPA's Toxic Substances List and the National Institute of Health's (NIH) hazard identification list. The NIH warns CdTe is harmful if swallowed, inhaled, or comes into contact with skin and is dangerous to aquatic life. CdTe is also considered hazardous by the U.S. Department of Labor's Occupational Safety and Health Administration.

In total, at least six of Energix's solar projects have been withdrawn, not permitted, or have not been submitted to county planning departments.

While Energix faces regulatory hurdles in Virginia, that has not stopped the company from engaging in energy projects in other states. In May, Energix took over the development, construction, and ownership of the Adams Solar project, which will provide 22% of Philadelphia's municipal electricity use. Philadelphia Energy Authority did not respond to media inquiries on whether it's aware of Energix's environmental and human rights violations.

Energix job posts on LinkedIn mention the company is involved in solar projects in West Virginia and Kentucky as well. The job description lists possible travel to these states. However, project details in Kentucky and West Virginia are not disclosed on Energix's website. The company also operates a wind farm in Poland.

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In 2001, the Virginia Israel Advisory Board (VIAB) was established as a state agency under the General Assembly of Virginia. VIAB's charter states its mission is to "advise the Governor on ways to improve economic and cultural links between the Commonwealth and the State of Israel, with a focus on the areas of commerce and trade, art and education, and general government." However, using Virginia taxpayer money, VIAB operates similarly to an Israel lobbying organization.

VIAB promoted Energix's business activities in the U.S. "VIAB should be a chamber of commerce, which is separate from the government," Trabulsi told *MintPress News*. "But because they are so closely enmeshed and have offices within the General Assembly, they are very active and very close to people who have power and make policy."

At a March 2022 conference on the Israel lobby jointly hosted by the *Washington Report on Middle East Affairs* and the Institute for Research: Middle Eastern Policy, Trabulsi outlined Energix's strong governmental influences.

This included the fact that, in 2019, former Virginia Governor Ralph Northam and state Secretary of Commerce Brian Ball went on a VIAB-sponsored trade trip to Israel. Aviva Frye, Energix's director of governmental and public relations, served as the head of Energix's U.S. subsidiary while simultaneously serving on VIAB's board. In an email seeking a private meeting with former Virginia first lady Pamela Northam to discuss Energix, Frye signed it as "VIAB board." Recently, VIAB's budget was increased from \$200,000 annually to \$250,000 per year.

During the conference, Trabulsi said:

“Energix credits VIAB with connecting it with senior leaders in the commonwealth, and credits VIAB with introduction to private and public entities and assisting in the identification of new projects. We [VCHR] believe that this gives Energix an unfair advantage over other Virginia solar companies.”

Additionally, Energix — like other solar companies — receives a 30% federal investment tax credit. Through loopholes, the company has also obtained state and federal subsidies. In 2020, Energix applied for a Virginia Jobs Investment Program subsidy as well as federal Payroll Protection Program loans — receiving one-third of all PPP loans for the Virginia utility scale solar sector.

ENERGIX, HUMAN RIGHTS AND THE ENVIRONMENT

In 2020, the Office of the UN High Commissioner for Human Rights designated Energix as violating human rights for conducting business in the occupied territories, specifically labeling it as a category G company for using natural resources, particularly water and land, for business purposes.

Energix seized land from Palestinians living in Masafer Yatta in the occupied West Bank in order to build the Meitarim solar facility in an illegal settlement industrial zone in 2014.

(5) Energix South Har Hevron, Limited Partnership (hereinafter: “Energix Har Hevron”)

Commencing in 2013, the Company consolidates in its financial statements Energix Har Hevron, in which the Company holds 50.1%.

The partnership was established for the purpose of the initiation, construction and operation of a project for the generation of electricity using photovoltaic energy at the Meitarim industrial zone in the Judea & Samaria region with a capacity of 5MWp (the Company’s share - about 2.5MWp). The balance of non-controlling interest as at the date of the report is approximately NIS 4.4 million, resulting primarily from the infusion by the minority of capital in the amount of NIS 4.6 million for the purpose of meeting regulatory requirements that are necessary for the financial closing of the project.

For information on the project, see Note 16a(6) below.

Energix’s 2014 financial report refers to the Meitarim project in Judea and Samaria, a colloquial Israeli reference to occupied Palestinian territory

In December 2021, the Israeli Defense Ministry signed an agreement with Energix to build a massive wind farm in the occupied Golan Heights, consisting of 41 wind turbines standing at 656 feet tall. Energix’s wind turbine project in the Golan has prompted significant backlash from local residents who say it will harm their health, housing, livelihoods, and the environment. The wind farm will be built on occupied Syrian agricultural land — disrupting local cultivation practices and preventing villages’ expansion.

Experts also indicate that wind farms may cause health problems to the surrounding populations, such as infrasound and low-frequency sound waves measured below the audible threshold, which may lead to headaches, dizziness, and nausea. It is also suggested that wind turbines can harm wildlife, particularly by killing migratory birds.

With these violations in mind, VCHR is planning to notify Philadelphia officials of Energix’s practices in hopes of stopping its takeover of the Adams Solar Project. Yet as Energix continues expanding in the U.S., the recent governmental opposition it has faced may signal it will have a harder time than expected in cementing itself in the American energy industry.

Feature photo | Graphic by MintPress News

Jessica Buxbaum is a Jerusalem-based journalist covering Palestine, Israel and Syria. Her work has been featured in Middle East Eye, The New Arab and Gulf News.

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