



**COMMUNITY
ENERGY SOLAR**

EASTERN SHORE SOLAR

PERMIT BY RULE

Small Renewable Energy Projects (Solar) Permit By Rule

APPLICATION DOCUMENTS

June 4, 2015





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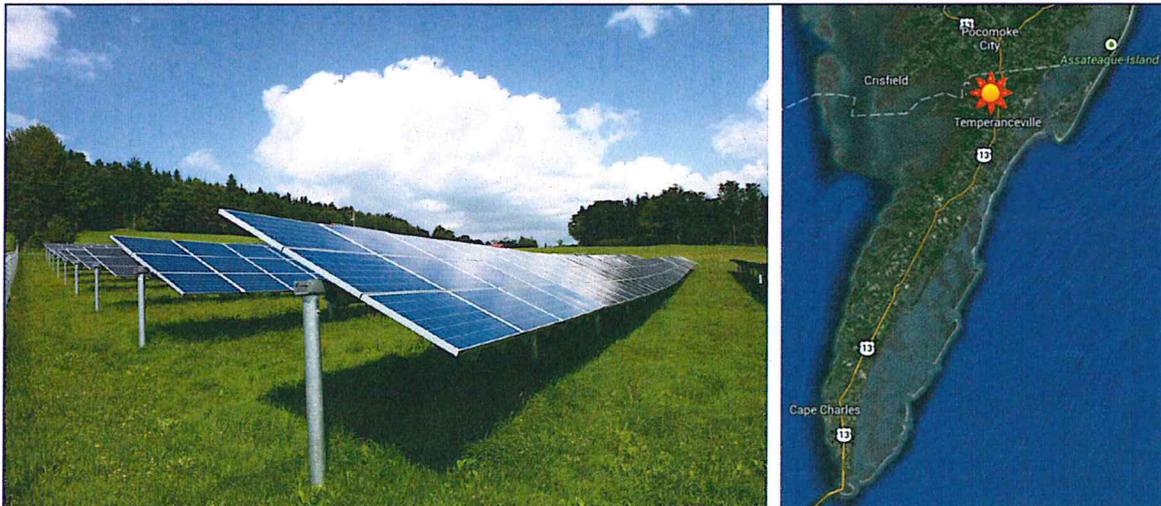
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I. INTRODUCTION AND OVERVIEW

1. About the Project

The proposed Eastern Shore Solar Project (the “Project”) will utilize traditional photovoltaic solar modules to produce electricity, which will be delivered to the regional PJM Electric Grid (the “Grid”) and distributed to homes and businesses via the Grid. The modules will be mounted to panels/racking that rotate throughout the day to track the sun and maximize electrical output.



The Project is located in northern Accomack County Virginia, just south of the Virginia/Maryland border and west of Lankford Highway (U.S. Route 13). The Project will connect to the Grid via the existing Delmarva Power Oak Hall substation.

The solar panel areas are arranged in clusters (rather than one large mass) across roughly 1,000 acres in Accomack County, utilizing existing cultivated upland areas, primarily existing farm fields, and avoiding more sensitive wetland areas. The panel foundations have a very small footprint, typically an I-beam or cylindrical post, or helical pile (like a screw). Rainwater can pass around and under the panels to the ground surface below. Within the fenced panel area there is actually more open area (between and around the panels) than area under panels. Turf grasses are planted throughout all panel areas (around, between and under panels). Native vegetation is utilized to buffer the Project from roadways and residential neighboring properties.

Electricity from the panel areas is collected at the central project Connector Station, which neighbors the existing Delmarva Power Oak Hall Substation. The Project is then connected from the Collector Station to the Oak Hall Substation.

The Project will have a cumulative total generating capacity of 80 Megawatts (MW), as the four sub-projects each have a maximum generating capacity of 20 MW. The four sub-projects have been fully studied by PJM Interconnection and Delmarva Power and approved for



Interconnection to the Grid. Interconnection agreements are fully executed and Delmarva Power has commenced detailed engineering and planning work related to the interconnection facilities under the Construction Services Agreement.

The Project, including all four (4) sub-projects, was approved for Conditional User Permit, by a unanimous vote from the Accomack County Board of Supervisors on January 21, 2015 at their duly noticed hearing. This approval was supported by a unanimous recommendation for approval by the Accomack County Planning Commission, per a vote of the Planning Commission at their hearing on at their public hearing on January 14, 2015. We have worked closely with county planning and economic development staff and county leadership to ensure the Project is well suited for the county.

This Project is one of the largest in the U.S. Its scale is critical to its economic viability. To be viable, it must compete with other forms of power generation, without significant state-level financial incentives. Its scale as well as its ability to produce power during the critical summer demand peaks is critical to its success. Several other wind and solar projects proposed for Accomack County have failed to materialize and their applications for interconnection to the grid are no longer active, having failed likely because they had inadequate economies of scale to reduce construction costs low enough to sell power at a competitive price..

The Project is on target to commence construction in the 4th quarter of 2015 and reach commercial operation in the 3rd quarter of 2016.

At the end of the Project life, the equipment will be removed and the land will be restored to its existing conditions. This has been agreed by way of a decommissioning plan, including financial surety, consistent with the requirements of the Accomack County Conditional Use approval.

The Project now seeks approval under the Virginia Permit by Rule (PBR).

As required by the PBR a public review and comment period was held from April 30, 2015 through May 29, 2015, including a public meeting held on May 20, 2015. We are pleased to report that all comments received were in support of the Project.

The support, without opposition, received during the PBR public review and comment period is consistent with the public support, without opposition, received during the County land use approval process.

We are proud of this Project and believe it is well suited for it's location and will provide a significant benefit to the immediate location and the environment.



2. About Community Energy

Community Energy has been a leader in renewable energy development for 15 years since its founding in 1999. Community Energy developed some of the first wind generation projects early in the last decade, and has led solar development in the eastern U.S. The company has developed over 1,000 megawatts of utility scale wind and solar projects. This Eastern Shore Solar Project design is informed by several projects of similar scale, the 120 MW “Comanche” project in Colorado, the 100 MW “Butler” project in Georgia and the 100 MW “Northstar” project in Minnesota; and many more projects in agricultural settings. Community Energy Solar projects are now operational or under development in Pennsylvania, New Jersey, New York, Massachusetts, Indiana, Illinois, Colorado, Arizona, North Carolina, Maryland, Georgia and Minnesota. Community Energy received the Photovoltaic Projects of Distinction Award at PV America East in 2013 for its Keystone Solar project in Pennsylvania.

Visit us on the web at: www.CommunityEnergySolar.com.

3. Development Philosophy

Community Energy has a strong record of developing thoughtful projects that stand as a good neighbor in the community and environment. Eastern Shore Solar will also uphold this core principal.

It starts with site selection... The Eastern Shore has many environmentally and culturally sensitive locations. The regional location of this Project is placed in a relatively very low-sensitive location. The Project is located almost as far as possible away from the Chesapeake Bay, Atlantic Ocean and Route 13 corridor. This naturally reduces the likelihood of encountering features like threatened and endangered species, as well as historic resources. The Project is also located as close as possible to the existing electrical substation, reducing the need for long transmission lines to interconnect the Project to the electric grid.

Next is avoidance... We originally acquired more than 3,000 acres, under site control agreements, in the general vicinity of the proposed Project, so that we could select the optimal properties and portions of those properties for proposed development. This has allowed us to avoid impacting any wetlands with our proposed solar array areas, and allows us to set-back from any sensitive features. All solar array areas are designed on upland locations. Where a wetland exists between two array areas, the arrays will be connected with an underground wire installed via a boring process, which is recognized as a non-impact to the wetlands. Access roads are not built through the wetlands, instead access to the array area on either side of a wetland will be accomplished separately and through uplands.



Finally, enhancement... The nature of the proposed Project along with the grasses and native vegetation will be an improvement to the local and surrounding environment as a result of energy generation without pollution, reduction of nutrient runoff to the Chesapeake Bay, reduced stormwater and sediment runoff, enhanced soil structure and organic content, ~1,000 acres of enhanced grassland habitat, enhanced habitat for birds, butterflies, insects, small mammals that will enjoy the increased native vegetation.

Through initial regional site selection in areas of lower sensitivity, selection of parcels and portions of parcels that generally avoid sensitive features, setting back and engineering around/under wetlands and any specific individual features, and utilizing grasses and native vegetation throughout the Project design, we have been successful at developing projects that are well suited to be a good neighbor in the surrounding community and environment, and we are confident that Eastern Shore Solar will live up to this standard.



4. About the Virginia Permit By Rule

In 2009, the Virginia General Assembly enacted legislation directing DEQ [Department of Environmental Quality] to develop regulations for the construction and operation of renewable energy projects of 100 megawatts and less.¹

The 2009 Statute moved authority from the State Corporation Commission to DEQ over protection of natural resources with respect to renewable energy projects. The stated twin statutory goals of the PBR [Permit By Rule] are to “promote renewable energy and to protect natural resources.”²

The DEQ facilitated a multi-year collaborative process comprising more than twenty meetings and including the relevant agencies and organizations, which guided the establishment of the solar PBR.

The PBR is intended to establish regulatory requirements that are stated “up front”³, rather than case-by-case.

The permit by rule for solar projects became effective on July 18, 2012.⁴

The Solar PBR sets forth fourteen “up front” regulatory requirements, which are detailed in the following section. Through analysis of these fourteen requirements we believe this project will be found to meet both the intent and specific requirements of the PBR.

¹ DEQ Solar Energy webpage <http://www.deq.virginia.gov/Programs/RenewableEnergy/SolarEnergy.aspx>

² From 9/15/10 Secretary Paylor letter
http://www.deq.virginia.gov/Portals/0/DEQ/RenewableEnergy/Paylor_ltr_to_prospective_developers_9_15_10.pdf

³ From 9/15/10 Secretary Paylor letter
http://www.deq.virginia.gov/Portals/0/DEQ/RenewableEnergy/Paylor_ltr_to_prospective_developers_9_15_10.pdf

⁴ <http://www.deq.virginia.gov/Programs/RenewableEnergy.aspx> (above two sentences from this link)

II. PERMIT BY RULE COMPLIANCE ANALYSIS

The Solar Permit by Rule (PBR) process sets forth fourteen (14) clear requirements that must be addressed to comply with, and obtain, the PBR. This document and its attachments, comprise the Eastern Shore Solar application for PBR approval.

This application is structured to show first the specific PBR Requirement, then explain our analysis of compliance with the PBR requirement. Where appropriate and informative, we also provide additional information intended to help explain the Project and application documents in a useful context.

The fourteen (14) requirements of the PBR are summarized as follows, and addressed on the following pages:

1. NOTICE OF INTENT
2. COMPLIANCE WITH LOCAL LAND USE ORDINANCES
3. INTERCONNECTION STUDIES
4. INTERCONNECTION AGREEMENTS
5. MAXIMUM GENERATION CAPACITY CERTIFICATION
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ITALICIZED TEXT

Within the following subsections of this Section II (Permit By Rule Compliance Analysis) any *italicized text* is copied directly from the Virginia Administrative Code | Title 9. Environment | Agency 15. Department of Environmental Quality | Chapter 60. Small Renewable Energy Projects (Solar) Permit By Rule, or from text directly referenced within Chapter 60.



1. NOTICE OF INTENT

REQUIREMENT: *In accordance with § 10.1-1197.6 B 1 of the Code of Virginia, and as early in the project development process as practicable, furnishes to the department a notice of intent, to be published in the Virginia Register, that he intends to submit the necessary documentation for a permit by rule for a small renewable energy project;*

COMPLIANCE ANALYSIS: A notice of intent was provided to the Department of Environmental Quality (“DEQ” or “Department”) on October 14, 2014. The DEQ then provided notice to the Virginia Register of Regulations and that notice was published in the Virginia Register of Regulations on November 3, 2014 (VOL. 31 ISS. 5).

A copy of the notice of intent provided to the DEQ on October 14, 2014 is included on the following page, and included as Attachment 01.

Please note, zero inquiries have been received in response to this notice.

EASTERN SHORE SOLAR LLC

Notice of Intent for Solar Energy Project

October 14, 2014

Mary E. Major
Environmental Program Manager
Department of Environmental Quality
P. O. Box 1105
629 East Main Street
Richmond, VA 23218
Mary.Major@deq.virginia.gov

Dear Ms. Major:

On behalf of Eastern Shore Solar LLC, notice is hereby provided to the Department of Environmental Quality (the "Department") of our intention to submit the necessary documentation for a permit by rule for a small renewable energy project (solar) in Accomack County, Virginia, pursuant to §10.1-1197.6 B 1 of the Code of Virginia and 9VAC15-60 et seq.

The project is located in northern Accomack County, west of Route 13 around the Oak Hall Electrical Substation in the general vicinity of Withams and Miona, VA. The project has four (4) sub-projects, each sub-project will have a Maximum Capacity of 20 Megawatts Alternating Current (AC), for a total combined Maximum Capacity of 80 Megawatts AC.

The sub-projects will utilize traditional photovoltaic solar modules, and rotate throughout the day to track the sun. The combined 80 MW of sub-projects will be sited across roughly 1,000 acres, and across multiple parcels.

The four (4) sub-projects may ultimately be broken out, such that four separate permits may be requested from the Department, pursuant to this notice.

If the Department or public has questions regarding this project, please contact me at Tom.Tuffey@CommunityEnergyInc.com.

Sincerely yours,



Thomas J. Tuffey, Manager
Eastern Shore Solar LLC
Three Radnor Corporate Center, Suite 300
100 Matsonford Rd, Radnor, PA 19087
www.CommunityEnergySolar.com
Tom.Tuffey@CommunityEnergyInc.com



2. COMPLIANCE WITH LOCAL LAND USE ORDINANCES

REQUIREMENT: *In accordance with § 10.1-1197.6 B 2 of the Code of Virginia, furnishes to the department a certification by the governing body of the locality or localities wherein the small renewable energy project will be located that the project complies with all applicable land use ordinances;*

COMPLIANCE ANALYSIS:

In addition to the PBR, this Project must obtain approvals from Accomack County, which is the local governing body with jurisdiction, where the Project is located.

The zoning code of Accomack County allows for “Large solar energy systems, utility scale” by Conditional Use Permit in the Agricultural Zone. The Project, including all four (4) sub-projects, was approved for Conditional Use Permit by a unanimous vote by the Accomack County Board of Supervisors on January 21, 2015. This approval was supported by a unanimous recommendation for approval by the Accomack County Planning Commission on January 14, 2015. A small portion of the Project area (approximately 7.67 acres) was rezoned from Residential to Agricultural to allow for the Project to be approved under the Conditional Use Permit. The rezoning was also unanimously approved by the Board of Supervisors, as recommended by the Planning Commission.

It’s also worth noting that we have worked closely with county with planning and economic development staff and county leadership to ensure the Project is well suited for the county. We voluntarily reached out to close neighbors of this Project, in addition to the required notices. We have participated in four public meetings and have been the beneficiary of unsolicited public comments in favor of the Project, without any opposition.

The following documents are included on the following three pages and included as attachments, including the Land Use Compliance Certification addressing this specific requirement of the PBR:

- Notice of Approval of the Conditional Use Permit (ATT-02-A)
- Notice of Approval of the Rezoning (ATT-02-B)
- Land Use Compliance Certification (ATT-02-C)



Steven B. Miner
County Administrator

COUNTY OF ACCOMACK
OFFICE OF THE COUNTY ADMINISTRATOR
23296 COURTHOUSE AVE.
ROOM 203
P. O. BOX 388
ACCOMAC, VIRGINIA 23301
(757) 787-5700
(757) 824-5444
(757) 787-2468 FAX

MEMO TO: Rich Morrison, Director, Planning Commission
FROM: Steven B. Miner, County Administrator
DATE: January 26, 2015
RE: Eastern Shore Solar – Conditional Use Permit

At its Public Hearing on January 21, 2015, on a motion by the Honorable Robert D. Crockett and seconded by the Honorable Wanda J. Thornton, the Board approved the Eastern Shore Solar (multiple applicants) Conditional Use Permit including all conditions as recommended by the Accomack County Planning Commission.

Thank you for your assistance in this matter.

/ssw



Steven B. Miner
County Administrator

COUNTY OF ACCOMACK
OFFICE OF THE COUNTY ADMINISTRATOR
23296 COURTHOUSE AVE.
ROOM 203
P. O. BOX 388
ACCOMAC, VIRGINIA 23301
(757) 787-5700
(757) 824-5444
(757) 787-2468 FAX

MEMO TO: Rich Morrison, Director, Planning Commission
FROM: Steven B. Miner, County Administrator
DATE: January 26, 2015
RE: Eastern Shore Solar – Conditional Rezoning

At its Public Hearing on January 21, 2015, on a motion by the Honorable Ron S. Wolff and seconded by the Honorable Robert D. Crockett, the Board approved the Eastern Shore Solar (multiple applicants) Conditional Rezoning including the additional proffers as recommended by the Accomack County Planning Commission.

Thank you for your assistance in this matter.

/ssw

**Virginia Department of Environmental Quality
Small Renewable Energy Projects (Solar)
Local Governing Body Certification Form**

Facility Name and Location: **Eastern Shore Solar
Accomack County, VA**

Applicant's Name: **Eastern Shore Solar LLC**

Applicant's Mailing Address:
**3 Radnor Corporate Center, Suite 300
100 Matsonford Road
Radnor, PA 19087**

Telephone Number and Email Address:
**Tom Tuffey: 610-745-0651
Tom.Tuffey@CommunityEnergyInc.com
David Krupp: 215-740-8355
David.Krupp@CommunityEnergyInc.com**

The applicant or his representative is submitting an application for a small renewable energy permit by rule from the Virginia Department of Environmental Quality. In accordance with § 10.1 - 1197.6 B 2 of the Code of Virginia, before such permit application can be considered complete, the applicant must obtain a certification from the governing body of the locality or localities in which the small renewable energy project will be located that the project complies with all applicable land use ordinances.

The undersigned requests that an authorized representative of the local governing body sign the certification statement below. In addition, by signing below, the applicant affirms that he has also submitted this form to other localities, if any, in which the proposed project will be located.

Applicant's signature:

Thomas J. Tuffey

Date:

17 March 2015

The undersigned local government representative certifies that the proposed small renewable energy project complies with all applicable land use ordinances, as follows:

(Check one block) Please note, approval has been granted by the Board of Supervisors for a Conditional Use Permit (CUP) on 1/21/15 in the Agricultural zone. One parcel was partially rezoned from Residential to Agricultural, to allow the full project to be approved under the CUP.

The proposed facility **complies with** all applicable land use ordinances.

The proposed facility **does not comply** with all applicable land use ordinances.

Signature of authorized local government representative:

R Morrison

Date:

3.16.2015

Type or print name:

Rich Morrison

Title:

Planning & Community Dev. Director

County, City or Town:

Accomack County, VA



3. INTERCONNECTION STUDIES

REQUIREMENT: *In accordance with § 10.1-1197.6 B 3 of the Code of Virginia, furnishes to the department copies of all interconnection studies undertaken by the regional transmission organization or transmission owner, or both, on behalf of the small renewable energy project;*

COMPLIANCE ANALYSIS:

The interconnection study and approval process is managed by PJM, who is the Regional Transmission Organization (a/k/a Grid Operator) for the 13 state region including Virginia, in coordination with Delmarva Power & Light, who is the Transmission Owner (a/k/a Electrical Utility) that owns the electrical transmission system to which the proposed Project will connect. There are actually four sub-projects that have all been studied for connection at the existing Oak Hall electrical substation.

The study process began in February 2010 with the application for four 20 Megawatt solar projects, with a combined total of 80 MW of maximum generation capacity. Since that time the projects have been reviewed through a multi study process over about 5 years, by PJM and Delmarva Power & Light to confirm feasibility, potential impacts to the regional electric grid, and detailed analysis of the facilities required to interconnect the projects.

The studies have concluded that the projects are feasible, no impacts are identified on the electrical network, and within the existing Oak Hall Substation only a relatively simple and limited reconfiguration of substation equipment will be necessary to interconnect the four sub-projects.

All studies, including (Feasibility, Impact and Facilities studies) are included within Attachment 03.



4. INTERCONNECTION AGREEMENTS

REQUIREMENT: 4. *In accordance with § 10.1-1197.6 B 4 of the Code of Virginia, furnishes to the department a copy of the final interconnection agreement between the small renewable energy project and the regional transmission organization or transmission owner indicating that the connection of the small renewable energy project will not cause a reliability problem for the system. If the final agreement is not available, the most recent interconnection study shall be sufficient for the purposes of this section. When a final interconnection agreement is complete, it shall be provided to the department. The department shall forward a copy of the agreement or study to the State Corporation Commission;*

COMPLIANCE ANALYSIS:

The Interconnection Services Agreement (ISA) and Interconnection Construction Services Agreement (ICSA) were fully executed in September of 2014. The ISA & ICSA were both updated and fully executed on April 28, 2015. The agreements were updated to reflect additional peak capacity rights allocated to the Project. Please note this does not increase the maximum generation capacity, which remains a cumulative 80 megawatts (MW) alternating current (AC).

The ISA & ICSA were executed by Delmarva Power And Light Company (the Transmission Owner), PJM Interconnection, L.L.C. (the Regional Transmission Organization) and Eastern Shore Solar LLC (the Interconnection Customer). Both agreements recognize and include the four sub-projects, with each sub-project at a Maximum Facility Output of 20 Megawatts (MW), and collectively with a Maximum Facility Output of 80 MW.

The following interconnection agreements are include within Attachment 04.

ATT-04-A – Interconnection Services Agreement (ISA)

ATT-04-B – Interconnection Construction Services Agreement (ICSA)

ATT-04-C – Interconnection Services Agreement (ISA) - Updated

ATT-04-D – Interconnection Construction Services Agreement (ICSA) - Updated



5. MAXIMUM GENERATION CAPACITY CERTIFICATION

REQUIREMENT: *In accordance with § 10.1-1197.6 B 5 of the Code of Virginia, furnishes to the department a certification signed by a professional engineer licensed in Virginia that the maximum generation capacity of the small solar energy project, as designed, does not exceed 100 megawatts;*

COMPLIANCE ANALYSIS:

This Project, including the four sub-projects will not exceed 100 megawatts (MW). The sub-projects are designed to a maximum generation capacity of 20 MW each, with a combined maximum generation capacity of 80 megawatts (MW). This combined maximum generation capacity of 80 MW is the maximum allowed to be injected onto the electrical grid, is stipulated in the interconnect agreements (referenced in section 3 above) as the combined Maximum Facility Output of 80 MW, and 20 MW each.

A certification of compliance, signed by a professional engineer licensed in Virginia is included on the following page, and as Attachment 05.

Attachment-05: Certification of Maximum Generation Capacity

**Virginia Department of Environmental Quality
Small Renewable Energy Projects (Solar)
Maximum Generation Capacity Certification**

Facility Name and Location

Name: Eastern Shore Solar

Location: Accomack County, VA

Applicant's Name:

Eastern Shore Solar LLC

Applicant's Mailing Address:

3 Radnor Corporate Center, Suite 300
100 Matsonford Road
Radnor, PA 19087

Telephone Number and Email Address:

Tom.Tuffey@CommunityEnergyInc.com
610-745-0651 (Tom)
David.Krupp@CommunityEnergyInc.com
215-740-8355 (David)

Certification Requirement: The applicant is submitting an application for a small renewable energy permit by rule from the Virginia DEQ. In accordance with § 10.1-1197.6 B 5 of the Code of Virginia, before such permit application can be considered complete, *A certification signed by a professional engineer licensed in Virginia that the maximum generation capacity of the small renewable energy project by (i) an electrical generation facility that generates electricity only from sunlight, wind, falling water, wave motion, tides, or geothermal power as designed does not exceed 100 megawatts, or (ii) an electrical generation facility that generates electricity only from biomass, energy from waste, or municipal solid waste as designed does not exceed 20 megawatts;*

Project Interconnection Rights Description: This proposed project includes the interconnection rights associated with the following PJM Numbers: W1-003, W1-004, W1-005, W1-006, Z1-100, Z1-101, Z1-102, Z1-100, AA1-025, AA1-026, AA1-027 and AA1-028. The combined maximum generation capacity associated with all of these PJM Queue Numbers and the associated property project, does not exceed 100 megawatts.

Professional Engineer Licensed in Virginia

Name: Paul (Pete) Malamen Jr.

Electrical Engineer License Number: 031524

P.E. Phone: 651-463-6250

P.E. Email: pmalamen@ceg-engineers.com

I hereby certify that the information provided above (and any attached information) is correct and fulfills the requirements of § 10.1-1197.6 B 5 of the Code of Virginia.

Signature


Paul Malamen Jr., P.E.


Date

6. ANALYSIS OF POTENTIAL IMPACT ON AIR QUALITY STANDARDS

REQUIREMENT: *In accordance with § 10.1-1197.6 B 6 of the Code of Virginia, furnishes to the department an analysis of potential environmental impacts of the small renewable energy project's operations on attainment of national ambient air quality standards;*

COMPLIANCE ANALYSIS:



Operation of the proposed solar renewable energy Project (including all four sub-projects) will not be a detriment to attainment of national ambient air quality standards, as the operations will not have off-gassing or any burning as associated with traditional energy generation. Operation of the Project will not have a negative effect on air quality, in fact it will have an improvement on air quality, as operating the solar Project will over time, and throughout the PJM Grid, reduce the need to operate traditional energy generating facilities that do have a negative impact on air quality.

The Project will produce power equivalent to the usage of ~20,000 homes. The Project will not produce carbon emissions, nitrogen oxide, sulfur dioxide, particulates, fly ash or other particulates as associated with conventional energy generation. Thus, energy generation from the proposed Eastern Shore Solar Project would offset the following emissions improving the air sheds as estimated below:

- | | | |
|----|-------------|----------------------------|
| A. | 87,478.042 | tons of carbon dioxide |
| B. | 75.081 | tons of nitrogen oxides |
| C. | 186.830 | tons of sulfur dioxide |
| D. | 12.33248297 | tons of particulate matter |

The above calculations are estimates generated based on analysis utilizing the EPA Power Profiler at http://oaspub.epa.gov/powpro/ept_pack.charts#result. This resource is an online calculator last updated in June 2014, which uses eGrid data; also The EPA's National Emissions Inventory Data which is updated every few years, last updated in 2011, at <http://www.epa.gov/ttn/chief/net/2011inventory.html>

On December 2, 2013 an informal meeting was held about this Project with representatives from the DEQ, DGIF, DCR and DHR. At that meeting it was discussed and generally acknowledged that the operation of this Project is not expected to have any negative environmental impact on attainment of national ambient air quality standards.

On January 15, 2015 a meeting about this Project was held with DEQ Tidewater Regional Office to discuss this proposed Project, including confirmation of any potential impacts on potential environmental impacts of the small renewable energy Project's operations on attainment of



national ambient air quality standards. No potential negative impacts were identified related to the operation of the Project.

Note: It is worth noting, that should the construction of the Project require on-site fuel-based electricity generators, a permit will be requested from the DEQ for operation of such generators. Construction phase impact such as this would be very minimal in nature and are not expected to have a significant environmental impact or any impact on attainment of national ambient air quality standards. An application for this potential construction-phase use of on-site fuel-based electricity generation, has been submitted to the DEQ Tidewater Regional Office.