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DATE: May 8, 2026

RE: Queensbury Landfill Solar – Responses to Comment Document Dated May 1, 2026

Comments/Responses:

1. *How much money will you make from the solar project at the Town of Queensbury landfill?*

Response: This is not public information, however, ACP actually does not have a definitive answer at this time. Revenue from the project cannot be determined until after the project is operational. We have invested nearly \$1 million in the project thus far, completely at risk.

2. *Do you have a deadline to start this project due to any state or federal initiatives?*

Response: Yes, we must start construction as quickly as possible to reach commercial operation before federal incentives or NYSERDA incentives expire.

3. *How much money will you pay the town above and beyond the approximate \$50,000 a year rent?*

Response: The Queensbury Central School District will be paid full taxes on the solar project. Property taxes on the land and all special district taxes will be paid to the Town – e.g. fire, EMS/ambulance, highway, library; to be assessed after project is complete and as-built drawings are available.

4. *Are there any benefits to the community from this project?*

Response: The Queensbury Landfill solar project is designed as a Statewide Solar for All project – a NYSERDA NY-Sun program structured to deliver guaranteed bill savings directly to low-income households served by National Grid, through the utility's existing Energy Affordability Program. Eligible customers don't need to sign a contract, install anything, or take any action; savings from the project are automatically applied as credits to their monthly utility bills by National Grid itself. This streamlined design ensures the financial benefits flow to the local households that need them most, with no marketing intermediaries, sales pitches, or sign-up hurdles.

The project is part of New York's flagship NY-Sun Program, NYSERDA's statewide initiative to deploy 10,000 MW of distributed solar by 2030, and S-SFA is the Public Service Commission's targeted mechanism for ensuring that lower-income residents share directly in the savings from clean energy development. Ridge Road will generate roughly 8 million kWh of clean energy each year (enough to power more than 1,000 homes), put an underutilized property back to productive use, and deliver 25 years of new lease revenue to the Town.

In addition, the project supports NY State's renewable energy goals and is considered redevelopment of a brownfield site, with limited, viable re-use options. In addition, there is a resulting substantial carbon footprint reduction, job creation during construction, long-term energy price stability, and increased energy security and grid stability.

5. *What environmental assessments have you done about any adverse impact on wildlife or the community as a whole?*

Response:

- Geotechnical calculations/study to analyze the integrity of the cover system and its ability to support a solar energy facility (required by NYSDEC);
 - Informal consultation with NYSDEC regarding potential impacts to grassland birds (required by NYSDEC);
 - State Historic Preservation Office reviews/approval;
 - Visual simulations (required by APA and scope of the study prescribed by APA);
 - Threatened/Endangered species reviews by both US Fish and Wildlife service (USFWS) and NYSDEC Natural Heritage program (required by NYSDEC and APA);
 - Engineering Report for Post-closure Use Modification (required by NYSDEC)
 - Preliminary Stormwater Pollution Prevention Plan (SWPPP; required by NYSDEC);
 - Glint/glare analysis (required by Adirondack Park Agency [APA]);
 - Decommissioning Plan with engineer-certified cost estimates and financial surety obligation (required by Town and APA);
 - Typical Solar Facility O & M Plan (Required by NYSDEC and Town); and
 - Post-closure Monitoring and Maintenance Plan (Required by NYSDEC).
6. *Why does the SEQRA form indicate no remediation has taken place at the landfill while your website says you only install solar fields on remediated landfills?*

Response: The Short Environmental Assessment Form Parts 1 – 3, prepared for the project and signed (as required) by all parties, does not indicate “... no remediation has taken place at the landfill.” Regardless, there seem to be varying interpretations of “remediation” and how it is defined. Remedial actions, as acknowledged by environmental regulatory authorities (e.g. NYSDEC or USEPA) include installation of a final cover system and other engineering controls such as a groundwater monitoring well network and landfill gas venting system. Post-closure ongoing environmental monitoring can also be considered part of remedial actions, along with other institutional controls such as land use restrictions, regulation of such uses and environmental covenants. Remediation can also include excavation and disposal of materials from an uncapped landfill or leachate treatment and discharge to a permitted facility.

7. *How will the solar panels be maintained? (Shoveled off, cleaned etc?)*

Response: The solar modules do not typically require snow removal. The panels are set with the lower edge of rows a few feet off the ground, at a fixed tilt at angle to allow for snow to accumulate and slide off. Modules do not typically require any type of cleaning in the Northeastern part of the country vs. other areas considered high dust and fine sand environments.

8. *What kinds of pesticides will be used?*

Response: No pesticides or herbicides will be used for maintenance of the solar facility. If there were a need to use an herbicide, the NYSDEC would be required to review and approve of the product.

9. *What are the solar panels made of?*

Response: The components that comprise a solar module depend on the type of module. Most are bifacial so they can absorb light from the sun and light reflected off the ground. The solar cells are typically fabricated from monocrystalline or silicon (e.g. quartz and sand). The cells are fully encapsulated in tempered glass and frames are often composed of aluminum. All materials are encapsulated within the sealed panel.

10. *How much do the concrete ballasts weigh? And how many are going up on top of the landfill cap?*

Response: As part of the Engineering Report for Post-Closure Use Modification, submitted to NYSDEC, as is standard practice for solar on landfill projects, AC Power's engineer prepared a geotechnical settlement and stability analysis, taking into account site specific surface (e.g., slopes) and subsurface conditions (e.g. the engineered cover system), as well as all anticipated ballasts and equipment to be placed on the landfill. It was concluded that the solar panel foundations will have no adverse impact to the landfill. In addition, low ground pressure construction equipment will be used during installation and decommissioning.

The solar project as currently designed will utilize approximately 538 ballasts, the heaviest of which is estimated to weigh approximately 6,776 pounds. Geotechnical calculations, which are used to ensure that a landfill closure system (i.e., landfill cap) can withstand the additional weight and stress of the solar development were completed and determined that adverse impacts to the landfill cap are not anticipated. Given that the landfill cap can withstand the proposed additional weight, it can also be assumed that materials within the closed landfill will not be affected by the installation of the solar development. Please note that the geotechnical report containing these calculations was included in the application package submitted to NYSDEC in support of the post-closure use modification, and were subsequently approved by the Department.

11. *What is the pressure threshold of the Queensbury Landfill cap?*

Response: See response to 10. above. In addition, the bearing capacity of the landfill was estimated to be 681 psf using a 9.5'x2.9' loaded area and factor of safety of 3, a safety factor more conservative (i.e., safer) than required by NYSDEC regulations. Based on calculations contained in the geotechnical report, this bearing capacity will not be exceeded by the proposed installation. Again, please note that the geotechnical report containing these calculations was included in the application package submitted to NYSDEC in support of the post-closure use modification, and were subsequently approved by the Department.

12. *What is the ground loading for the project in PSI or psf?*

Response: See response to 10. above. In addition, the ground loading from construction equipment will be limited to more than 10 psi per the NYSDEC Policy DMM-4. As noted in responses to questions 10 and 11, ground loading for installed features (i.e., ballasts and panels) will not exceed thresholds that would result in damage to the closure system. These figures have been reviewed and approved by NYSDEC.

13. *Why does your lease with the Town of Queensbury state the landfill has been remediated per DEC? Where did this information come from? Who said this?*

Response: See response to 6. above.

14. *Are you aware the Town of Queensbury landfill is not lined and is under active investigation as a potential superfund site?*

Response: Yes. Most of the landfill is unlined due to its age; initial and early operations predate the NYSDEC regulations pertaining to engineering/design and construction of new landfill facilities. The landfill is closed and capped with a final cover system, a passive gas venting system, and a groundwater monitoring well network at the perimeter of the site (and off-site) outside the proposed project area.

15. *Are you aware that emerging contaminants and toxic "forever" chemicals are located within the landfill?*

Response: Irrelevant question but, yes, we are well aware, as they can be found in nearly every solid and/or hazardous waste landfill.

16. *Are you aware surrounding homes (180 homes and a public park in a tight radius) rely on well water for drinking, bathing, ect..?*

Response: Yes. During our environmental DD period back in 2023/24 we reviewed documentation from the NYSDEC online repository that referenced the off-site groundwater quality issue. We reached out to the Remedial Project Manager (Anthony Bollasina) and put the project on hold until they completed additional groundwater sampling. On January 17, 2025, we were informed (via email from Katelyn White, NYSDEC Region 5 Division of Materials Management/DMM) we could submit to DMM an Engineering Report for a Post-closure Use Modification Request for the solar project. We also inquired about potential, future remedial actions that might be required and were told if anything is planned it would likely not occur in the proposed project area.

17. *How many projects have you completed with the concrete ballast setup? And when did they start to be operational?*

Response: AC Power has 12 projects throughout New York, New Jersey and Illinois that have started operation between 2018 and 2026. AC Power has developed more operational solar projects on landfills than any other developer.

18. *How many landfills have you installed solar panels on that are not lined?*

Response: AC Power has received post-closure use modification permits for many solar projects throughout the country on unlined landfills that predate Federal and State environmental statutes and regulations. Included are: 4 USEPA NPL Superfund Sites (3 in NJ [Kinbusc, Global, Freehold], 1 in IL [Hillsboro] and 1 in MD [Elkton]), as well as many other landfills in NJ [Hopatcong, Evesham 1, Delanco?, Winslow, Evesham 2], NY (Lancaster, Fort Edward, BASF, Niagara N/S, Queensbury, Cheektowaga, Salina, and IL [Lockport, South Barrington, North Chicago sites]). AC Power is also developing a large Superfund site in OH.

19. *What will you do if your project causes the contaminates to migrate into the groundwater? How will you monitor this and remedy as needed?*

Response: There is no reason to believe a solar project will cause contaminants to migrate into groundwater. One of the key aspects of designing a project of this type is ensuring the integrity of the installed landfill cap system so as to prevent water infiltration or disturbance of contaminated sediments. The use of a ballasted racking system, as opposed to a typical pile-driven racking system, prevents the need for any structures to be inserted into the landfill cap, which would risk damaging the installed landfill final cover (cap) system.

Additionally, the project was specifically designed to avoid grading above the landfill cap. Lastly, the project was designed to avoid areas with steep slopes, thus mitigating the potential for erosion and sedimentation. Given the lack of soil disturbance proposed within the landfill cap area and, based on analyses conducted in the course of drafting the project's preliminary SWPPP, the project is not expected to significantly alter stormwater or groundwater dynamics. This statement is corroborated by thorough third-party review that was conducted by the Town's engineer, LaBella Associates. A full engineering report for the post-closure use modification request to NYSDEC was provided to the Department and the application was approved, based on the comprehensive technical information submitted.

The owner-operator of the solar facility will conduct regular site inspections of all components of the project as well as the landfill cover system within the array area. Any routine maintenance will be carried out, as needed. In addition, the Town of Queensbury will continue to implement a post-closure monitoring program consisting of routine groundwater sampling, surface water sampling, and site inspections in accordance with 6 New York Codes, Rules, and Regulations (NYCRR) Part 360 and a site-specific post-closure monitoring and maintenance manual.

20. *I'd like to know how long their construction phase is from start to finish...length of time, including days and hours that they'll start and finish each day.*

Response: The specific construction schedule will be developed as part of final design/engineering for building permits. A project of this size typically takes on average 9 months to install but could require more or less time.

21. *I'm wondering how much noise they'll be making with the constant traffic of big heavy cement trucks and other heavy equipment in & out of there every day.*

Response: All construction work will be carried out within Town regulations and guidelines. Foundation/structural design will be part of the final engineering/Issue for Construction design drawings for building permit applications. Typically, precast ballasts are used, however, gabion cages as well as poured ballasts are options. Only Low pressure vehicles will be used on the landfill cap. Traffic relative to the site includes standard construction trucks, small earth moving equipment, and all-terrain forklift equipment. Activity with this equipment is isolated to the specific site property lines. Vehicle trips would be relative to phased, scheduled deliveries of major materials such as solar racking, solar panels, electrical equipment to serve the Project, and fencing materials to be installed around the perimeter of the solar field. Construction activity and associated traffic will take place in accordance with local, state, and federal

requirements. Site-specific traffic flow and delivery plans and associated site logistic plans showing access and circulation are typically provided as part of building permit plans and applications during the pre-construction phase.

22. *With all that driving over those toxic muddy areas with the vibrations and the weight, how will you not stir things up in these toxic waste dumps. Especially those that were improperly lined and sealed or had experimental sludge as a seal ie..Finch Pruyn's landfill site.*

Response: See response to 19., above.

23. *With the danger signs posted everywhere will they be required to wear hazmat suits ?? and if not, then what is the reason you'll be needing hazmat suits and/or PPE ?*

Response: See response to 19., above. During construction there is no risk of environmental exposure. There will be no contact with the waste mass or any affiliated materials. All NYSDEC (and other applicable) contingency regulations will be complied with during construction.

24. *Mud Pond is very close and home to many turtles, snakes, geese, ducks and various other wildlife. How will all of this construction affect them?*

Response: Mud pond will not be impacted by construction of this project. During the construction phase, stormwater best management practices will be used to prevent runoff of sediment from the work area. Generation of sediment should additionally be minimal given that no grading is proposed within the landfill area. The work area is separated from Mud Pond by a large area of closed landfill and a line of mature trees, which should serve to block the construction activities from view for wildlife that may be present. Noise disturbance is also unlikely given the distance between the proposed work area and habitats surrounding Mud Pond, and given that the baseline noise level of the site includes the operation of the transfer station and several adjacent major roads. Once construction has completed on the Project, wildlife using Mud Pond as habitat will be unaffected given that the Project will be primarily passively generating energy without generating significant noise or other conditions that could disturb normal wildlife behavior.

25. *Why were us neighbors not told about this prior to now.*

Response: AC Power's understanding is that the Town of Queensbury provided required public notice for all project meetings.

26. *How can you guarantee us that you won't further contaminate our wells with this project? We have to bathe in that water. Our skin is our biggest organ and absorbs moisture. Will you be paying to have our wells tested til we connect to Town Water?*

Response: See response to 19., above.

27. *Will this project block the view of the Vt Green Mountains as you're turning down Jenkinsville Rd from Ridge Rd?*

Response: No. As part of its permitting process, the Adirondack Park Agency required a glint and glare study, as well as visual simulations to assess potential impacts at key locations along Ridge and Jenkinsville Rd.; none were identified.

28. *What can you do to protect the birds from this project? How many dead birds are found on other sites?*

Response: Wildlife biologists with the NYSDEC were specifically consulted in the course of permitting the project to determine if they believed additional action was required to mitigate any potential impacts to grassland birds. Their response indicated that no additional surveys or mitigation would be required, confirming that the project will not adversely impact grassland birds. Generally speaking, solar developments in settings such as the Queensbury landfill, particularly those which utilize panels with anti-reflective coatings (as the proposed panels do), are not major contributors to bird mortality. Management of the landfill area (i.e., routine mowing and occasional inspection visits) will remain largely unchanged following the installation of the panels as well, meaning that available habitat will not be significantly altered.

As noted above in response to Comment #6, pertinent permits and approvals include Federal (US Fish & Wildlife) and State (NYSDEC Natural Heritage Program) threatened and endangered species review. The solar project will not impact noted resources. Stormwater controls that will be used during the construction and decommissioning phase will prevent adverse impacts to nearby Mud Pond and any species utilizing the resource.

29. *Is it possible we will hear humming from the substation or transmission lines? If the transmission lines are overhead, is it true that they will probably produce an audible hum if they're very close to our homes?*

Response: No. The utility lines do not emit sound/humming. The line required to interconnect this project is an existing 3-phase feeder on Ridge Rd. with a voltage of 13.2 V. It is not a transmission line. The substation for this project is located _____ miles from the Queensbury Landfill and it has excess capacity to handle electricity generated at the project site.

30. *Can you reassure me regarding the radiation that we might be exposed to?*

Response: Solar panels and inverters produce extremely low levels of harmless, non-ionizing radiation, at levels comparable to or less than common household appliances (e.g. refrigerators, televisions, hair dryers). Solar farms do not produce or emit radioactive materials.

31. *How are these insulated? Are they a danger during an electrical storm or lightning strike? Have they ever caught fire? They'll be very exposed up on a hill and full of metal. If struck could a power surge affect our homes?*

Response: The solar array and equipment will be grounded. Interconnection equipment provide protection from power surges.

32. *How much will this project affect the property values in our community?*

Response: There is not data to support the notion that a solar project on a regulated landfill will negatively impact surrounding property values. In fact, some studies have shown positive results, since most landfill have no higher or better use that would generate tax revenue.

33. *Your decommissioning plan states "Decommissioning activities, particularly the removal of project components could result in environmental effects similar to those of the construction*

phase. For example, there is the potential for disturbance (erosion/sedimentation) to adjacent watercourses or significant natural features.” Who are the people specifically responsible for controlling these risks during the construction phase? In addition, who are the people specifically responsible for controlling these risks during decommissioning?

Response: The statement referenced above regarding the “...potential for disturbance (erosion/sedimentation) to adjacent watercourses or significant natural features” was followed by a summary of mitigation measures, as noted below:

“Mitigation measures including obtaining all required permits and coverage under the most current NYS SPDES General Permit for Stormwater Discharges from Construction Activity will be implemented. These measures will remain in place until the site is stabilized in order to mitigate erosion and silt/sediment runoff and any impacts on the significant natural features or water bodies located adjacent to the Project Site. All removed components will be recycled/disposed of in accordance with local, state, and federal waste disposal regulations.” The general statement commenter focused on, is conservatively included in all decommissioning plans does not mean there will be such disturbances. Please note that no grading or major earth disturbance is proposed within the landfill cap during either the construction or decommissioning phase of the project.

34. Who will be responsible for maintenance/vegetation control?

Response: The solar facility owner-operator will maintain vegetation within the solar array/lease area in accordance with all site documents, including operations and maintenance plans. The Town of Queensbury will continue to maintain portions of the site outside the array/lease area.

35. What type of fencing will be used? Can a natural border be used as well?

Response: Any additional security fencing around the array and on the landfill cap must ballasted or sit on top of the cover system, as approved by NYSDEC. No landscaping can penetrate the landfill cap and, therefore, no planting is proposed, nor was it required by any AHJs.

36. Will the lease contract include clearing, recycling of all panels/infrastructure at the end of life?

Response: Yes. There is an approved Decommissioning Plan with cost estimates as well as financial surety requirements in the form of a bond agreement/document.

37. How have the property values changed near other solar “farms” in Queensbury?

Response:

38. What specific benefits will the residents of Qsby receive in return for the lease?

Response: See response to Comment 4., above.