

# DECOMMISSIONING & SITE RESTORATION PLAN

Appendix 23-1

January 2024  
Revised July 2024

**Mill Point Solar I Project  
Town of Glen, Montgomery**

Prepared for:



1001 McKinney St., Suite 700  
Houston, Texas 77002

Prepared by:



63 Marginal Way, 4<sup>th</sup> Floor  
Portland, Maine 04101

---

*Prepared by:*

---

*Reviewed and approved by:*



## Table Of Contents

<b>1.0</b>	<b>Introduction.....</b>	<b>1</b>
<b>1.1</b>	<b>Facility Description.....</b>	<b>1</b>
<b>2.0</b>	<b>Decommissioning and Restoration .....</b>	<b>2</b>
<b>2.1</b>	<b>Anticipated Operational Life of the Facility.....</b>	<b>4</b>
<b>2.2</b>	<b>Site Decommissioning Activities.....</b>	<b>4</b>
<b>2.3</b>	<b>Proposed Restoration Activities.....</b>	<b>6</b>
<b>3.0</b>	<b>Safety and Environmental Impacts.....</b>	<b>7</b>
<b>3.1</b>	<b>Safety and the Removal of Hazardous Conditions.....</b>	<b>8</b>
<b>3.2</b>	<b>Environmental Impacts.....</b>	<b>8</b>
<b>3.3</b>	<b>Aesthetics.....</b>	<b>8</b>
<b>3.4</b>	<b>Recycling.....</b>	<b>8</b>
<b>3.5</b>	<b>Potential Future Uses for the Site.....</b>	<b>10</b>
<b>3.6</b>	<b>Funding .....</b>	<b>10</b>
<b>3.6.1</b>	<b>Estimated Cost of Decommissioning .....</b>	<b>10</b>
<b>3.6.2</b>	<b>Financial Assurance .....</b>	<b>11</b>
<b>3.7</b>	<b>Schedule.....</b>	<b>12</b>

## Attachment

Attachment A. Cost Estimate

## 1.0 Introduction

On behalf of ConnectGen Montgomery County LLC (ConnectGen), TRC has prepared a preliminary Decommissioning Plan (the Plan) for the proposed Mill Point Solar I Project (the Facility or Project) located in the Town of Glen, Montgomery County, New York. The Facility, a utility-scale photovoltaic (PV) solar generating facility, will be located on private land and will encompass approximately 2,665.59 acres, 1,124.0 acres of which will occur within an agricultural style security fencing and will be capable of generating up to 250 megawatts (MW). Project construction is expected to begin in 2025 with commercial operation commencing in 2026.

The Applicant's goal for decommissioning of the Facility is the safe and efficient removal of Facility components while restoring occupied land to its pre-construction condition to the greatest extent practicable. Restoration activities may include, but are not limited to, revegetation with native species, and re-establishing land use. The safety measures and protocols utilized during construction and operation of the Facility will be applied during the decommissioning and restoration process to ensure the safety of onsite personnel and the public.

The purpose of this Plan is to provide a general scope of decommissioning activity as well as a cost estimate to act as a mechanism for decommissioning assurance. This Plan outlines the decommissioning activities required to remove Facility components and associated electrical and interconnection equipment, restore disturbed soil and vegetation, and return the site to a condition consistent with pre-development conditions, to the maximum extent practicable.

The decommissioning cost estimate included as **Attachment A**, was prepared under the supervision of a professional engineer licensed in the State of New York. The cost estimate is based on experience in the design and construction of solar energy facilities and is subject to revision based on the final engineering design. Costs assume the work will be performed by a contractor experienced in the decommissioning and deconstruction of solar facilities.

## 1.1 Facility Description

The proposed Facility will be constructed primarily on agricultural land in areas with existing topography suitable for solar development. The Facility will be located on 2,665.59 acres within land leased and/or purchased from private landowners, 1,124.0 acres of which will occur within an agricultural style security fencing.

Project components are planned to consist of the following site features:

- 180,800-linear feet of perimeter security fence encompassing approximately 1,124-acres,
- 56,980-linear feet gravel access roads and associated drainage conveyances,
- 553,956 PV solar modules (i.e., “panels”),
- 21,306 single-string-single-axis tracker racking frames and associated tracking motors,
- Sixty (60) equipment skids with driven post foundations, each supporting an alternating current (AC)/direct current (DC) inverter, a pad mount step-up transformer, and associated equipment and controls,
- 38 sound attenuating barriers (sound walls),
- 11,718,300-linear feet of underground low voltage (DC) conductor,.
- 256,995-linear feet of medium voltage (AC) conductor,
- Twenty-one (21) stormwater detention basins,
- One (1) Collection Substation,
- One (1) Operations and Maintenance (O&M) building, and
- One (1) Interconnection Switchyard

## **2.0 Decommissioning and Restoration**

For decommissioning the Applicant shall:

- Be responsible for decommissioning costs,
- Complete decommissioning, removal, and legal disposal of Facility components,
- Remove and dispose of all aboveground infrastructure, such as solar panels, racking, inverters, etc.,
- Remove and dispose of qualifying underground infrastructure, such as underground medium voltage AC cables,
- Remove and dispose of the collection substation, except the portion of concrete

piers below 48 inches

- Remove O&M building and foundation, including supporting water and wastewater systems
- Acquire permits not supplanted by Section 94-c,
- Develop a Stormwater Pollution Prevention Plan (SWPPP) for construction activities related to the removal of access roads, equipment skids, fencing, and other soil disturbing activities (Exhibit 13, Appendix 13-3),
- Perform grading and completion of ground stabilization by revegetating or other means, in accordance with permits and in compliance with all applicable rules and regulations then in effect governing, and
- Recycle and/or salvage materials to the extent practicable and manage all waste streams in accordance with Federal, State, and local requirements.

## 2.1 Anticipated Operational Life of the Facility

Typically, solar modules (panels) have a useful life of up to 35-years, and ConnectGen anticipates that the Facility will be operational for 35-years.

Should the Facility cease electric generation activities for a period of 12 consecutive months, decommissioning shall commence, unless the following occurs during the 12-month period:

- Repair, restoration, or improvement of a Facility component that affects electricity generation and that the repair, restoration, or improvement activity is diligently being pursued by the Applicant, or
- A Force Majeure event occurs. Force Majeure events include but are not limited to: causes or events beyond the reasonable control of, and without the fault or negligence of the party claiming Force Majeure, including acts of God; sudden actions of the elements such as floods, earthquakes, hurricanes, or tornadoes; sabotage; terrorism; war; riots; explosion; blockades; and insurrection.

## 2.2 Site Decommissioning Activities

At least two weeks prior to commencing decommissioning, the Applicant will provide notice by mail to landowners, the Town of Glen, and the Office of Renewable Energy Siting (ORES). ConnectGen will coordinate with the local utility company to determine the schedule and procedure for disconnecting Facility infrastructure from the point of interconnection (POI). Once disconnection is completed, all Facility electrical connections will be disconnected and tested to confirm the system is de-energized prior to starting removal. The contractor will establish erosion and sedimentation controls before onsite decommissioning activity commences.

As part of the decommissioning process, the Facility Site will be restored to as close to pre-construction conditions as possible. Solar modules, collection substation (except the portions of concrete piers below 48 inches), O&M building, and associated aboveground infrastructure will be removed. The interconnection switchyard will remain. Underground collection lines deeper than four (4) feet below grade will be removed, and their conduits abandoned in place in accordance with the New York State Department of Agriculture and Markets (NYSAGM) guidelines. Most underground collection lines will be buried less than four (4) feet below ground and will be fully removed at decommissioning. Select Facility components will be buried at a depth of greater than four (4) feet which are primarily horizontal directional drilled (HDD) collection lines crossing beneath roadways, wetlands, or other sensitive features, as well as the concrete

pier foundations located at the Project substation. Removal of HDD line conduits and concrete pier foundations at decommissioning would result in significant impacts to aboveground resources since the removal activity could involve potentially larger excavations under public roads and delineated waterbodies. In addition, their removal would increase the scope and duration of decommissioning activities as any potential unforeseen excavation work could require additional permits. ConnectGen is seeking a waiver of the local provision which would require the removal of these components given the aforementioned impacts. See Exhibit 24 for further details on ConnectGen's waiver request.

Decommissioning activities will include the following:

- Mobilization and Erosion and Sediment Control Best Management Practice (BMP) installation,
- Disassembly and removal of aboveground structures,
- Removal of subsurface structures to a minimum depth of 48 inches (with exceptions noted above),
- Disposal and/or recycling of removed project components,
- Abandonment of underground collection lines greater than or equal to 48 inches below ground surface (BGS), and
- Re-grading and revegetating disturbed areas.

A majority of the PV system components are recyclable or re-saleable, including copper, aluminum, galvanized steel, concrete, electric motors, and PV modules. Due to their resale value, components will be dismantled and disassembled rather than being demolished and disposed of.

Prior to any earth disturbance, perimeter erosion and sedimentation controls shall be installed in accordance with the current version of *New York State Standards and Specifications for Erosion and Sediment Control*.

Decommissioning activities shall be performed by qualified individuals in accordance with the final approved Decommissioning Plan. Electrical connections to PV modules will be cut and modules will be removed from the framework by cutting or dismantling the bolted connections to the supports. Modules will then be removed. The internal materials of the selected PV modules are silicon-based and are not considered hazardous material. The decommissioning contractor will



be responsible for assessing the condition of PV modules and managing proper disposal throughout the removal procedure.

The PV module frame, racking system, and all other metal project components, including driven support posts, perimeter fencing, and gates, will be removed from the site for recycling or disposal. Concrete slabs on grade will be broken onsite and removed for disposal.

Aboveground utility poles and overhead conductors owned by ConnectGen will be removed and disposed of off-site in accordance with utility best practices, and as required by the local utility. Underground utilities and conduits below grade at a depth of 48 inches or less will be located and removed. Collection line conduits deeper than 48 inches will be abandoned in place, as detailed further above. Once equipment is removed from the site, access roads will be excavated to a depth that matches adjacent site grades. Removed aggregate will be hauled offsite and may be sold as clean fill, unless a landowner requests that an access road be left in place. Geotextile fabric, geogrid, and geoweb will be removed for disposal.

A final site walkthrough will be conducted to remove debris and/or trash generated during the decommissioning process and will include removal and proper disposal of debris that may have been wind-blown to areas outside of the immediate footprint of the Facility.

### **2.3 Proposed Restoration Activities**

Solar facilities are largely pervious vegetated surfaces. Decommissioning and removal of equipment will not result in excessive earth disturbance; however, some restoration and site stabilization will be required upon completion of decommissioning. Restoration activities will include back-filling of pile/foundation sites and detention basins, grading of surfaces to approximate pre-construction land contours and revegetation of disturbed areas including planting of tree species in an effort to reestablish forested areas to match preconstruction conditions, to the maximum extent practicable. If required, site soils will be de-compacted by disking, tilling, or chisel-plowing to restore land to pre-construction characteristics. Haul roads will be removed, unless requested by the landowner to remain in place. During road removal activities, culverts and drainage infrastructure will also be removed; streams or drainage channels will be restored to preexisting elevations and stabilized in accordance with *New York State Standards and Specifications for Erosion and Sediment Control*. Native topsoil stockpiled and preserved during construction of the Facility will be re-used for site restoration and stabilization post construction. Areas with access road, equipment skid, and detention basin removal, will have topsoil redistributed post decommissioning. Disturbed areas will be seeded with a native grass



seed mix to prevent topsoil erosion unless seeding is planned by the landowner. In the event the land is intended to return to agricultural production, the re-seeding of land will be coordinated with the landowner or agriculture producer. Effective site drainage will be maintained throughout the course of restoration activities.

Agricultural restoration will be completed in accordance with NYSAGM *Guidelines for Solar Energy Projects – Construction Mitigation for Agricultural Lands* (Revision 10/18/2019) to the maximum extent practicable and as applicable. An Environmental Monitor will be present onsite throughout the decommissioning and restoration process on agricultural land, as required by the NYSAGM Guidelines. Areas used for agricultural production prior to the construction and operation of the Facility will be identified by the landowner, the Montgomery County Soil and Water Conservation District, and the NYSAGM. Agricultural restoration has been further detailed in the Agricultural Restoration Plan included as Appendix 15-1 of the Application.

### **3.0 Safety and Environmental Impacts**

As stated above, the goal of decommissioning is to ensure the safe and efficient removal of Facility components while restoring occupied land to its pre-construction conditions to the greatest extent practicable. This reclamation effort may include, but is not limited to, restoration of native vegetation, habitat, and/or land use. Erosion and sediment controls and stormwater management measures will be utilized to maintain downstream water quality and prevent soil erosion and sedimentation and/or adverse impacts that may result from stormwater runoff. Any hazardous fluids or materials will be removed in accordance with the Occupational Safety and Health Administration (OSHA), Environmental Protection Agency (EPA), and/or State standards. Additionally, the safety protocols used during construction and operation of the Facility will be applied for the decommissioning and restoration efforts. Following the removal of all applicable aboveground and underground facilities, revegetation of the Facility Site will take place.

### **3.1 Safety and the Removal of Hazardous Conditions**

Decommissioning includes the removal of Facility components and any associated hazardous conditions. The safety protocols used during construction and operation of the Facility will be applied for the decommissioning and restoration efforts. Any hazardous fluids or materials will be removed in accordance with the OSHA, EPA and/or State standards.

### **3.2 Environmental Impacts**

As stated previously, the restoration effort may include, but is not limited to, restoration of native vegetation, habitat, and/or land use (i.e., agricultural use). Erosion control and stormwater management measures will be utilized to maintain downstream water quality and prevent soil erosion and/or adverse impacts that may result from stormwater runoff. Environmental impacts will be minimized to the maximum extent practicable during decommissioning of the Facility and land restoration activities. Following the removal of the Facility components, select grading and revegetation will occur.

### **3.3 Aesthetics**

Aboveground Facility components will be removed, and the site will be restored according to the Plan. Access roads will be removed unless the landowner requests the road(s) remain. Disturbed areas will be revegetated using a native seed mix. Project landscaping will remain in place unless removal is preferred by the landowner.

### **3.4 Recycling**

Facility materials will be recycled and/or salvaged to the maximum extent practicable by approved facilities, with preference given to local recycling/salvage facilities, if available. Facility components may be relocated or reused if feasible. Metal components (steel, copper, and aluminum), including solar array racking, will be salvaged and sold for scrap metal if not reused. Aluminum trim is easily removed during disassembly in the field and will be salvaged separately from other module components. Labor cost for trim removal is included in the labor cost for module removal. Gravel removed from the haul roads may be removed or reused, or used for clean fill to allow for recycling along with any concrete that may be removed from onsite.

Components with no resale value will be salvaged and sold as scrap for recycling or disposed of

at an approved offsite licensed solid waste disposal facility. Most of the materials to be removed have salvage value, although there are some components that will likely have none at the time of decommissioning. All recyclable materials with no salvage value will be recycled to the extent possible. All other nonrecyclable waste materials will be disposed of in accordance with state and federal law in an approved licensed solid waste facility. See Attachment A for details related to salvage price of Facility components.

### 3.5 Potential Future Uses for the Site

The Facility Site has multiple potential future uses, including continued solar generation. At operating solar facilities with access to transmission facilities, solar resources, and interested landowners, the Applicant prefers to redevelop or repower solar facilities, as opposed to decommissioning. The Facility Site is currently primarily active agriculture and woodland. If decommissioning is determined to be the most optimal option for the site, as opposed to repowering as previously discussed, lands previously used for agricultural production may resume upon decommissioning. The Applicant is not aware of any limitations on future land uses that landowners may consider at that time. Operation of the Facility and subsequent decommissioning of the Facility will not restrict future uses of the land for agricultural or alternate uses.

### 3.6 Funding

#### 3.6.1 Estimated Cost of Decommissioning

A decommissioning cost estimate was prepared under the direction of a Professional Engineer licensed in the State of New York and is included as **Attachment A**. Assumptions and references applicable to each line item are listed as they are used.

ConnectGen will provide financial assurance in an amount equal to the net decommissioning cost estimate included as **Attachment A**. The amount of the initial assurance to cover Facility decommissioning shall be the value estimated in **Attachment A**. The initial amount of the financial assurance also includes estimated costs, expenses, and disbursements likely to be incurred by the Town in connection with the enforcement, oversight, and administration of the decommissioning of the Facility should ConnectGen fail to decommission the Facility. This includes reasonable engineering fees, attorney's fees, and other costs related to decommissioning the Facility in accordance with this Decommissioning & Site Restoration Plan.

The estimated cost of decommissioning the Facility is approximately **BEGIN CONFIDENTIAL INFORMATION < [REDACTED] > END CONFIDENTIAL INFORMATION**. A detailed cost analysis for the decommissioning efforts is provided as **Attachment A**. The financial assurance will be reevaluated after one (1) year of operation and every fifth year thereafter and adjusted for inflation/cost increases. The evaluation will be performed by a professional engineer licensed in the State of New York.

The unit rates used in preparing the decommissioning estimate are based on published RS Means values. According to this reference, the labor rates used in developing unit prices are based on

the average rates from 30 major U.S. Cities according to union labor agreements and prevailing wages for construction trades. There is inherent uncertainty regarding variations in wages over the life of the Facility. However, because prevailing wage rates are used in developing the national average, estimated future wages are accounted for in the decommissioning estimate. The decommissioning estimate also includes a 15% contingency as required by ORES. The following assumptions were made to estimate the cost of decommissioning the Facility:

- Costs derived from 2023 RS Means Online version Q2 and 2018 RS Means Site Work & Landscaping Costs estimating manual.
- Post removal includes backfilling holes.
- POI switchyard is owned and operated by the utility company and will not be decommissioned as part of this Plan.
- Native soils from excavation of roads and infiltration trenches will be side-cast then graded during construction and will be available as backfill when the roads and infiltration trenches are removed.
- Medium voltage AC collection line conduits installed via HDD will be abandoned in-place.
- Salvage costs obtained from <http://rockawayrecycling.com/> using 30-Day Average price (9/2023).
- Most underground collection lines will be buried less than four (4) feet below ground and will be fully removed at decommissioning. Select Facility components will be buried at a depth of greater than four (4) feet which are primarily horizontal directional drilled (HDD) collection lines crossing beneath roadways, wetlands, or other sensitive features, as well as the concrete pier foundations located at the Project substation.

### **3.6.2 Financial Assurance**

Financial assurance will be provided by the Applicant in the form of a letter of credit (LOC) or other financial assurance approved by ORES (e.g., surety bond or performance bond) to be held by the Town of Glen covering the estimated decommissioning and restoration activities (plus a 15 percent contingency cost) less the total projected salvage value of Facility components. See below for additional information regarding each type of potential financial assurance and justification.

**Letter of Credit:** A standby LOC is a form of collateral/credit support issued by a bank (issuer) to guarantee timely payment to a creditor (LOC beneficiary) on behalf of an obligor (LOC applicant). The LOC is evidenced by a letter provided by the issuer and has a maximum dollar value. In the event the obligor becomes unable to satisfy its obligation or perform under a contract, the creditor has the right to present the letter to the bank which will satisfy the obligation up to an amount that does not exceed the maximum dollar value. The Applicant then becomes obligated to pay the bank for the amount of the draw. LOCs are used when payment can satisfy decommissioning and restoration obligations.

**Surety Bond:** A Surety Bond is a form of collateral/credit support backed by a three-party agreement whereby a surety company assures the obligee (recipient of an obligation) that the principal (in this case, the Applicant) will perform a contract obligation or responsibility. Surety Bonds are typically used when a customer requires support for decommissioning and restoration, performance of a task to a certain requirement, and other requirements.

**Performance Bond:** A Performance Bond is a type of Surety Bond, where the obligee requires security that a task is completed in a satisfactory manner, typically applying to construction activities. A Performance Bond could also apply to a decommissioning obligation of the Applicant's contractor; however, a Decommissioning Bond is more applicable for the purposes of this section of the Application. A Decommissioning Bond is another type of Surety Bond. It is a financial guarantee that ensures proper removal of equipment and restoration of the environment to its pre-existing state. A decommission bond relieves the burden from landowners and taxpayers and puts the responsibility of proper decommissioning on the Facility owner.

The Applicant will consult with the Town and ORES Staff to determine an acceptable form of financial assurance. Use of a LOC or bond would remain in effect for the life of the Facility until decommissioning concludes.

### 3.7 Schedule

Decommissioning shall begin after the Facility has ceased operating as a solar energy facility, collecting energy and then transferring and distributing it to the electrical grid, for a period of 12 months. Periods during which the Facility is not operational for maintenance, repair, or due to catastrophic events beyond the Applicant's control, during which the Applicant will work to return the Facility to full operating status, shall not trigger the decommissioning requirement herein. Prior to the commencement of decommissioning activities, the Facility will be shut down, de-energized, and disconnected from the generation tie line at the collection substation. The Applicant will

coordinate with the Utility for de-energization efforts to ensure disruption to the overall electric utility system does not occur.

Written notice will be provided to the Town, landowners, and ORES no less than 14 days prior to commencement of decommissioning activity.

Decommissioning, dismantling, and demolition of the Facility is anticipated to occur within 12 months as outlined in Section 5(21)(ii) of the Town of Glen Solar Energies Facility Law (Glen Solar Law) (Town of Glen 2022). Soil disturbance will not take place during months when the soil is typically frozen, but removal of above ground equipment may occur during winter months.



## References

Town of Glen. 2022. Solar Energy Facilities Law of the Town of Glen. Available at: [https://www.co.montgomery.ny.us/web/municipal/glen/documents/FinalAdoptedSolarLaw-5\\_2022.pdf](https://www.co.montgomery.ny.us/web/municipal/glen/documents/FinalAdoptedSolarLaw-5_2022.pdf). Accessed October 2023.

# ATTACHMENT A

---

## Cost Estimate







