SMYTH COUNTY, VA

Planning Commission
121 Bagley Circle, Suite 120
Marion, Virginia 24354

Clerk's Direct Phone: (276) 706-8316
Fax: (276) 783-9314

Atkins District — *Hazel L. Wagoner*
Chilhowie District — *Graham S. Davidson Jr.*
North Fork District — *Robert Campbell*
Park District — *Lea Meadows*
Royal Oak District — *Anthony "Tony" Ray Dean*
Rye Valley District — *Paul D. Shepherd*
Saltville District — *David C. Buchanan Jr.*
Zoning Administrator — *Becca Creasy*
Clerk — *Kelsey Marchant*

AGENDA

Thursday, October 22, 2026
6:30 p.m.

1. Call Meeting to Order
2. Adoption of Agenda
3. Adopt August 27, 2026, meeting minutes
4. Amend June 25, 2026, meeting minutes – add Charles Wassum's name to speaker's list.
5. Citizens Time
6. Update from the Zoning Administrator
7. Questions/Comments from Commissioners
8. Recess.

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS

7:00 p.m.

9. Chairman of the Board and Chairman of the Planning Commission call the joint public hearing to order.
10. Map Amendment Request:
    a. Donald and Ella Roberts – *Commercial (C)* to *Agricultural/Rural (A/R)*
11. Special Use Permit Request:
    a. Laurel Creek Energy Storage II LLC – *Battery Storage Facility*
12. Adjourn public hearing.
13. Reconvene Planning Commission meeting to deliberate.
14. Adjournment.

Note from the Clerk: These minutes are written as the agenda was present. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION
Thursday, August 27, 2026

The Smyth County Planning Commission met in their regular meeting on Thursday, August 27, 2026, at 6:30 P.M. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; David C. Buchanan Jr., Saltville District; Tony Dean, Royal Oak District; Lea Meadows, Park District; and Paul Shepherd, Rye Valley District

Commissioners Absent: Robert Campbell, North Fork District

Staff Present: Clegg Williams and Kelsey Marchant

Adoption of Agenda: Hazel Wagoner called the meeting to order. Tony Dean made a motion to adopt the agenda as presented. It was seconded by David Buchanan Jr., and the following vote was recorded.

Vote:	6 yeas	Buchanan Jr., Davidson Jr., Dean, Meadows, Shepherd, and Wagoner
	0 nays	
	1 absent	Campbell

Minutes: Mr. Buchanan made a motion to approve the minutes as amended of the Thursday, July 23, 2026, meeting. It was seconded by Mr. Shepherd and unanimously approved.

Citizens' Time: At 6:35 PM, Dr. Charles Wassum spoke concerning the current approach to land use for data centers in Smyth County, indicating two flaws: first, it's not legal, and second, it's not sufficiently transparent. To correct the first flaw, he said that the Comprehensive Plan needed to be diligently updated and be transparent with the community and see if they want a data center. To correct the second flaw, he suggested making the Joint Ordinance Committee more transparent and open to the public.

Old Business: Clegg Williams gave the Commissioners an update on the proposed text amendment for Data Centers from June through the present. He informed the Commissioners, based on their recommendation from their previous meeting, that the Joint Ordinance Committee met and revised the text amendment based on information collected from the joint-public hearing in June, a public interest meeting in July, and their visits to Mecklenburg and Loudon Counties.

Mr. Williams handed out drafts of the proposed ordinance. The Commissioners began reviewing and providing their comments and feedback. Most comments were concerning the maximum building height, rooftop equipment, and setback requirements. Mr. Buchanan felt that the proposed 50 feet setback requirement for rooftop equipment was excessive. He proposed either reducing it or requiring a percentage of the perimeter remain open.

Recess: At 6:58 PM, Mrs. Wagoner recessed their meeting for a joint public hearing with the Board of Supervisors.

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS

Board Members Present: Charles Atkins, Chairman, Atkins District; Mike Sturgill, Vice-Chairman, Chilhowie District; Roscoe Call, Saltville District; Rick Billings, North Fork District; Jason Parris, Rye Valley District; and Courtney Widener, Royal Oak District.

Board Members Absent: Kris Ratliffe, Park District

Commissioners Present: Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; David C. Buchanan Jr., Saltville District; Tony Dean, Royal Oak District; Lea Meadows, Park District; and Paul Shepherd, Rye Valley District.

Commissioners Absent: Robert Campbell, North Fork District

Staff Present: Shawn Utt, County Administrator; Clegg Williams, Assistant County Administrator – Development; Becca Creasy, Zoning Administrator; and Kelsey Marchant, Clerk of the Planning Commission.

DRAFT

8/27/2026 7:04 PM Chairman Charles Atkins and Chairperson Hazel Wagoner called the joint public hearing to order.

8/27/2026 7:04 PM Clegg Williams read the legal ad into record.

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND SMYTH COUNTY PLANNING COMMISSION

The Smyth County Board of Supervisors and Planning Commission will hold a joint public hearing on Thursday, August 27, 2026, at 7:00 P.M. (or as soon thereafter as the matter may be heard) in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following:

Russell Sanfilippo has forwarded an application requesting a Special Use Permit for an Accessory Building Above 150ft² Without A Main Building on property beside 1335 Camp Road, Sugar Grove, Virginia, further identified as Tax Map No. 73-A-2B and zoned Agricultural/Rural.

Any person may appear and be heard on this matter, subject to the rules of the Smyth County Board of Supervisors and Planning Commission. Application materials are available for public review in the offices of the Zoning Administrator and County Administrator, 121 Bagley Circle, Marion, Virginia, during regular business hours. Persons requiring special assistance under the Americans with Disabilities Act should contact (276) 706-8315 at least 48 hours prior to the hearing. Smyth County complies with Title VI of the Civil Rights Act; for information call (276) 783-3298 or visit www.smythcounty.org.

BY ORDER OF THE
SMYTH COUNTY BOARD OF SUPERVISORS
AND THE
PLANNING COMMISSION
Shawn M. Utt, County Administrator
Hazel Wagoner, Chairperson of the Planning Commission

8/27/2026 7:05 PM Mr. Williams then turned the meeting over to Becca Creasy. Ms. Creasy introduced Russell Sanfilippo's application for a special use permit for an accessory building without a main building on the property. She said she received a few general comments – nothing for the record – primarily concerning the tree line. Before turning it over to Mr. Sanfilippo for questions from the Board and Commissioners, she asked him if he plans on building a primary structure, to which he verified he would build one later.

8/27/2026 7:07 PM There were questions from Mrs. Wagoner and Mr. Call concerning if there would be electricity for the building, what the building's primary use would be, and if he had any approval from VDOT for an entrance. Mr. Sanfilippo confirmed there would be electricity to the building and that it would primarily be used for storing equipment to keep the property maintained. He does plan to place a bathroom in the building, so as not to hinder using his camper's bathroom. Lastly, he had applied for an entrance permit with VDOT for access to the property.

8/27/2026 7:17 PM While no one signed up to speak, Ms. Joann Morgan, 1335 Camp Road, asked about the size of the building and its intended use. Mr. Williams provided her with a packet, showing the size of the building and Mr. Sanfilippo indicated that it would be primarily used to store equipment for property maintenance. She had no further questions.

8/27/2026 7:19 PM Mr. Atkins asked if there were any further questions or comments. With none, he adjourned the joint public hearing. Mrs. Wagoner reconvened the Planning Commission meeting. She asked if there were any further questions from her fellow Commissioners concerning Mr. Sanfilippo's special use permit application.

8/27/2026 7:22 PM **Russell Sanfilippo – Accessory Building Special Use Permit (Tax Map No. 73-A-2B:** David Buchanan Jr. made a motion to recommend the Board of Supervisors approve the Special Use Permit for an *accessory building above 150 ft² without a main building* on property beside 1335 Camp Road in Sugar Grove. He stated that the proposal meets the criteria outlined in Article 6-2.3 and that the request was reviewed with all public comments and concerns taken into consideration. Ms. Meadows seconded the motion, and the following vote was recorded:

Vote:	6 yeas	Buchanan Jr., Davidson Jr., Dean, Meadows, Shepherd, & Wagoner
	0 nays	
	1 absent	Campbell

8/27/2026 7:22 PM Mr. Williams then reconvened the discussion on the draft text amendment concerning data centers. . After discussing each of the sections being debated, it was agreed that the Commissioners would vote on each of them individually. Ms. Meadows asked for clarification on setbacks and building height requirements and whether it would be

applied to all zones. Mr. Buchanan and Ms. Creasy verified that it would apply to all zones. Afterwards, the following motions were made concerning the proposed text amendment.

8/27/2026 7:56 PM **Text Amendment – Section 4-19. Data Centers (b)(11) *Maximum Building Height:*** Mr. Buchanan Jr. made a motion to recommend the Board approve the joint ordinance committee's maximum building height amendment as written. It was seconded by Chairperson Wagoner and the following vote recorded:

Vote:	4 yeas	Buchanan Jr., Davidson Jr., Dean, & Wagoner
	1 nay	Meadows
	1 abstain	Shepherd
	1 absent	Campbell

8/27/2026 8:04 PM **Text Amendment – Section 4-19. Data Centers (b)(12) *Rooftop Equipment:*** (A) Mr. Buchanan Jr. made a motion to recommend the Board approve the joint ordinance committee's recommendation of exempting accessory rooftop equipment from the building height calculation, provided such equipment does not exceed thirty feet (30') height. It was seconded by Mr. Dean and the following vote recorded:

Vote:	5 yeas	Buchanan Jr., Davidson Jr., Dean, Shepherd, & Wagoner
	1 nay	Meadows
	1 absent	Campbell

(B) Mr. Buchanan Jr. made a motion to recommend the Board revise the wording to require in section for any rooftop equipment is required *"to comply with the Virginia Uniform Statewide Building Code without a guardrail."* It was seconded by Mr. Dean and the following vote recorded:

Vote:	6 yeas	Buchanan Jr., Davidson Jr., Dean, Meadows, Shepherd, & Wagoner
	0 nays	
	1 absent	Campbell

8/27/2026 8:07 PM **Text Amendment – Section 4-19. Data Centers:** Mr. Dean made a motion to recommend the Board add "including water" after "natural resources" in the first sentence of the *Purpose and Intent* section. It was seconded by Ms. Meadows and the following vote recorded:

Vote:	6 yeas	Buchanan Jr., Davidson Jr., Dean, Meadows, Shepherd, & Wagoner
	0 nays	
	1 absent	Campbell

8/27/2026 8:08 PM **Text Amendment – Section 4-19. Data Centers (e)(2)c. – *Decommissioning Plan – Timeline*:** Mr. Buchanan Jr. made a motion to recommend the Board to include "hazardous waste" at the end of this section. It was seconded by Mr. Dean and the following vote recorded:

Vote:	6 yeas	Buchanan Jr., Davidson Jr., Dean, Meadows, Shepherd, & Wagoner
	0 nays	
	1 absent	Campbell

8/27/2026 8:10 PM **Text Amendment – Definition *Data Centers*:** Mr. Dean made a motion to recommend the Board approve the definition of *Data Centers* as presented, pending review and approval from County Attorney Scot Farthing. It was seconded by Mr. Buchanan Jr. and the following vote recorded:

Vote:	6 yeas	Buchanan Jr., Davidson Jr., Dean, Meadows, Shepherd, & Wagoner
	0 nays	
	1 absent	Campbell

8/27/2026 8:20 PM **Text Amendment – Adoption of Section 4-19. Data Centers:** Mr. Buchanan Jr. made a motion to recommend the Board approve the draft ordinance with the amendments recommended by the Planning Commission on August 27, 2026. It was seconded by Mr. Dean and the following vote recorded:

Vote:	5 yeas	Buchanan Jr., Davidson Jr., Dean, Shepherd, & Wagoner

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1 nay	Meadows
1 absent	Campbell

8/27/2026 8:24 PM Mr. Davidson Jr. announced that he would like to resign as chairman of the joint ordinance committee, but he would remain on the committee.

8/27/2026 8:25 PM With no further questions or comments from the Commissioners, Mrs. Wagoner asked for a motion to adjourn the meeting. Mr. Davidson Jr. made a motion to adjourn. It was seconded by Ms. Meadows and the following vote recorded.

Vote:	6 yeas	Buchanan Jr., Davidson Jr., Dean, Meadows, Shepherd, & Wagoner
	0 nays	
	1 absent	Campbell

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Tony Dean, Secretary

DRAFT

Note from the Clerk: These minutes are written as the agenda was present. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION
Thursday, June 25, 2026

The Smyth County Planning Commission met in their regular meeting on Thursday, June 25, 2026, at 6:30 P.M. in Marion Senior High School library.

Commissioners Present: Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; David C. Buchanan Jr., Saltville District; Robert Campbell, North Fork District; Tony Dean, Royal Oak District; Lea Meadows, Park District; and Paul Shepherd, Rye Valley District.

Staff Present: Becca Creasy and Kelsey Marchant

Adoption of Agenda: Hazel Wagoner called the meeting to order. Lea Meadows made a motion to approve the agenda, which was seconded by David Buchanan Jr., and unanimously approved.

Minutes: Mr. Buchanan made a motion to approve the minutes of the Thursday, June 25, 2026, meeting. It was seconded by Graham Davidson Jr. and unanimously approved.

Citizens' Time: No citizens were present.

Zoning Administrator Report: Ms. Creasy informed the Commissioners of the Board's unanimous decision to approve Brian Karriker's special use permit for a retail store after the Planning Commission's meeting on May 28.

Other Business: None

Questions/Comments from Commissioners: None

Recess: At 6:32 PM, Mrs. Wagoner recessed the meeting for a joint public hearing with the Board of Supervisors in the Marion Senior High School auditorium.

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS

Board Members Present: Charles Atkins, Chairman, Atkins District; Mike Sturgill, Vice-Chairman, Chilhowie District (attended electronically); Roscoe Call, Saltville District; Rick Billings, North Fork District; Jason Parris, Rye Valley District; Kris Ratliff, Park District; and Courtney Widener, Royal Oak District.

Commissioners Present: Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; Tony Dean, Royal Oak District; Lea Meadows, Park District; Robert Campbell, North Fork District; David Buchanan Jr., Saltville District; and Paul Shepherd, Rye Valley District.

Staff Present: Shawn Utt, County Administrator; Clegg Williams, Assistant County Administrator – Development; Kendra Hayden, Economic Developer; Becca Creasy, Zoning Administrator; Madi Pitts, Deputy Clerk; Kelsey Marchant, Clerk of the Planning Commission; Jessica Davidson, Utility Billing Manager; and Stacy Barrett, Building Inspector.

6/26/2026 7:01 PM Charles Atkins, Chairman of the Board, and Hazel Wagoner, Chairperson of the Planning Commission, called the joint-public hearing to order.

6/26/2026 7:02 PM Assistant County Administrator Clegg Williams led the Pledge of Allegiance. Stephanie Nichols Porter provided the invocation.

6/26/2026 7:04 PM Mr. Atkins called for a motion to allow Vice-Chairman Mike Sturgill to join the meeting electronically. Courtney Widener made a motion allowing Mr. Sturgill to join, it was seconded by Jason Parris and unanimously approved.

6/26/2026 7:05 PM County Administrator Shawn Utt read the rules of the joint-public hearing into record. He then turned it over to Mr. Williams, who read the legal ad into record.

NOTICE OF PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION
ON AMENDMENTS TO THE SMYTH COUNTY ZONING ORDINANCE

The Smyth County Board of Supervisors and Planning Commission will hold a joint public hearing on Thursday, **June 25, 2026,** at **7:00 P.M.** (or as soon thereafter as the matter may be heard) in the **Marion Senior High School Auditorium,** 848 Stage Street, Marion, Virginia, for the Planning Commission to consider whether to recommend the approval of the following amendments, and the Board of Supervisors to consider whether to accept the Planning Commission recommendations on the following amendments to the Zoning Ordinance of Smyth County, Virginia:

a. Repeal *data processing facility* from sections 3-4(z), 3-5(u), 4-10.6 and Article X
b. Adopt *Section 4-19 Data Center* regulations
c. Define *Data* Center in Article X: *A facility or portion thereof used for the storage, processing, management, or distribution of digital data through computer systems, servers, telecommunications equipment, and related infrastructure.*

Any person may appear and be heard on this matter, subject to the rules of the Smyth County Board of Supervisors and Planning Commission. Amendment materials are available for public review in the offices of the Zoning Administrator and County Administrator, 121 Bagley Circle, Marion, Virginia, during regular business hours. Persons requiring special assistance under the Americans with Disabilities Act should contact (276) 706-8315 at least 48 hours before the hearing. Smyth County complies with Title VI of the Civil Rights Act; for information call (276) 783-3298 or visit www.smythcounty.org.

BY ORDER OF THE
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AND THE
PLANNING COMMISSION
Shawn M. Utt, County Administrator
Hazel Wagoner, Chairperson of the Planning Commission

6/25/2026 7:08 PM Mr. Williams then gave a speech indicating where the emergency exits and bathrooms were; gave an overview of the proposed text amendment; and described the meanings of "by right" and "by special use permit" in the zoning ordinance. He stressed that his office has not received an application to place a data center in Smyth County and they are trying to establish a process in the event of an application.

6/25/2026 7:14 PM Following his speech, Mr. Williams read seven emails into the record. They are as follows:

Date Received	From	Email
June 25, 2026	Andrew Cassell	"Ms. Creasy: Please update your 7pm Data Center meeting posting to include the location. I have heard that it is going to be at the high school; your ambiguous posting will prevent people from knowing where to go, which will limit attendance. Questions I have: A. You proposed 55 decibels, which is considered moderate noise that will impact sleep. Why are you okay with this? I bet you would not be okay with 55 decibels in your back yard. B. You have failed to address the most important topic with a data center. That is water. What wording are you going to insert about preserving the wells and water in this town if a data center would come? C. You failed to address the increase in electricity costs. Residents should not have to absorb rate increases secondary to the increase use of the electric grid by a data center. Andrew Cassell"
June 24, 2026	Fairfax Arnold	"Dear Supervisors- I believe we, as a County, need to place a moratorium on all data centers at this time. The reason is simple- hyperscale data centers are a new phenomenon in land use. We need time to evaluate the consequences of these large projects. Below are reasons related to sound only with noted references. Environmental and Energy Institute is a good starting point

		Hyperscale data centers generate a mix of **low-frequency hums, tonal sounds,** and **broadband noise,** predominantly caused by massive cooling systems and high-speed fans. This acoustic footprint is characterized by: [1, 2, 3] • **Low-Frequency Noise:** The most common and disruptive type. This humming or buzzing sound (\(<250 \text{ Hz}\)) travels long distances, penetrates physical barriers easily, and can even include imperceptible *infrasound* that causes physical discomfort. [1, 2] • **Broadband Noise:** A steady, rushing sound generated by turbulent airflow through air handling units, computer room air conditioners (CRAC), and HVAC exhaust systems. [1, 2] • **Tonal Noise:** Distinct, single-frequency pitches (buzzes or whines) emitted by rotating equipment like server fans, chillers, and water pumps. [1, 2] • **Intermittent Generator Noise:** High-decibel industrial noise triggered during emergency power outages or routine maintenance tests when diesel backup generators are activated. [1, 2] Because of these low frequencies, standard sound barriers often fail to block the persistent noise, which can reach exterior levels of \(85 dB\) or higher in the immediate vicinity. To explore the physical and health impacts of this acoustic pollution on local communities, read the in-depth report by the Environmental Health Project. [1, 2, 3] Thank you for your work! Fairfax Arnold Camp Rd Sugar Grove 276 247 0600"
June 24, 2026	Roberta Arnold	"Dear Board of Supervisors, I am hereby requesting that a moratorium be placed on data centers coming into Smyth County until we learn more about the problems that may arise. Here are four citations of harm that we need more data on: 1. Noise levels unidentified sound measurements: https://www.eesi.org/articles/view/communities-are-raising-noise-pollution-concernsabout-data-centers. 2. PFA's in the environment: https://www.eesi.org/articles/view/data-centers-are-contributing-to-pfas-forever-chemical-pollution 3. Water Use: https://natureforward.org/data-centers-and-water-use/ https://www.eesi.org/articles/view/data-centers-and-water-consumption These four examples are only a sampling of important areas where harm is occurring. By putting a minimum of a four year moratorium on this issue, waiting to look into collected data, we can make a more informed vote in the future about the question of allowing data centers to be placed in Smyth County.. Sincerely, Roberta Arnold Smyth County Home Resident"
June 3, 2026	Sandie Seymour	"The County should put in the ordinance; NO Data Centers will ever be considered in Smyth County! Come on Board of Supervisors, please make it 'never'. This beautiful County deserves to be preserved!! Thank you!! Sandie Seymour, resident and property owner!!!"
June 25, 2026	Kenneth Snider	"After the definition of Data Centers and Call Centers add next statement should be 'Smyth County has a total ban on Data Centers and the use of water resources to cool equipment.' Call Centers may be established in the county providing they use an existing structure. There will be No generators outside used as a source of power. This need will be accomplished through the use of Solar Energy. It will be the responsibility of the Call Center

		to install and maintain the solar system. NO clear cutting will be allowed to establish a solar field. Panels will be installed on the rooftop of the building and/or the parking area. These suggestions were an accumulation of the people that I talked to who will be unable to attend. Thank you for considering these suggestions."
June 25, 2026	Rose Likins	"Hello, I'm writing to provide comments on the draft county ordinance on data centers. First, thank you for doing the work to prepare Smyth County for a future request. I know it was a lot of work to research the law and the experiences of other jurisdictions. While I share the hesitation that many of our neighbors feel about such a facility in our beautiful county, I also recognize the need to diversify revenue sources to enable the County to provide the services citizens need and expect. I would like to suggest three possible amendments to the current draft. — In section (1) on the decommissioning plan, I would add an additional requirement to post a bond to cover the cost of decommissioning. The amount of the bond should be 125 percent of a cost estimate of the decommissioning prepared by an independent evaluator. The applicant shall bear the cost of the independent evaluation. — in section (3), para f, I would include a requirement to provide a certification from the applicant and the energy provider that no cost will be born by Smyth County or its residents for energy for the data centers. — in section (f) factors relating to approval, number 4, please be more specific about utilities to include water, sewer and waste disposal. We need to know what waste they will be producing and how they plan to dispose of it. Similarly, water consumption is a critical factor and should be weighed heavily in the evaluation process. Thank you for considering these suggestions. Rose Likins"
June 25, 2026	Courtney & Dennis DeYoung	"Dear Smyth County, Since we are unable to attend this evening's meeting we have prepared the attached document for your review and consideration. Additionally, can you please provide an action plan on how the rules and regulations for these Data Centers will be enforced and what are the penalties for Data Centers when the rules are broken? We would also like to propose that no data centers be allowed within the boundaries of any National Forests in Smyth County. Additionally, National Forest Land is federally owned and managed by the US Forest Service, not the County. Even private property within a National Forest would need special permits from the federal level. How is this topic being handled? Kind regards, Courtney and Dennis DeYoung"

6/25/2026 7:21 PM Mr. Williams then opened the floor for public comment. As the first volunteer started to speak, the Board and Commissioners indicated they were having trouble hearing from the stage. Several Board members and Commissioners did step off the stage and sat in the audience to hear citizen concerns.

There were over 150 attendees at the joint-public hearing. Of that total, 29 people spoke* concerning the text amendment. The biggest concerns of the citizens included, but not limited to an overall ban or moratorium for any data center; no mention of a moratorium in the text amendment for the special use permit; environmental pollutants; noise pollutants; increased cost of utilities; being taken advantage of by government and big businesses; long-term job opportunities; fears of increased presence of artificial intelligence; detriments to Smyth County's natural scenery and resources; the strain on water sources; and the impacts on reproduction and future generations. **A list of those who spoke into the record can be found at the end of these minutes.*

6/25/2026 8:44 PM When the attendees were finished speaking, they then questioned the Board and Commissioners about their thoughts and opinions on the matter. Mr. Utt spoke up, indicating that this joint-public hearing was primarily for them to listen to citizens and figure out what the best steps would be for the text amendment, in the event Smyth County received an application for a data center.

6/25/2026 8:46 PM Mr. Williams spoke again and informed attendees that part of the Board and Commissioners' process was to contemplate their decisions. Several more audience members asked how the County planned on protecting them. Mr. Williams clarified that currently, "data processing facility" is allowed by right in the commercial and industrial districts, meaning that his office could receive an application and there is no way that the County could stop it. By adding it as a special use in these districts, there would be a recommendation from Commissioners to the Board to either approve or deny the special use permit.

6/25/2026 8:52 PM There were more audience concerns about adding a moratorium to the text amendment for a data center. County Attorney Scot Farthing clarified that courts constantly overrule moratoriums and the best way to control it would be by a special use permit.

6/25/2026 8:55 PM Before anymore questions could be asked. Mr. Atkins adjourned the joint-public hearing but informed citizens that they would be available to speak afterwards. It was encouraged by County officials to reach out to their district's supervisor with any questions.

6/25/2026 8:58 PM Mrs. Wagoner reconvened the Planning Commission meeting and asked for comments or questions from the Commissioners. Mr. Dean made a motion to repeal "data processing facility" from section 3-4(z), 3-5(u), 4-10.6 and Article X in the zoning ordinance. However, due to several conversations and auditorium acoustics, Commissioners and Clerk for the Planning Commission could not hear. Mrs. Wagoner recessed the Planning Commission to the library.

6/25/2026 9:10 PM Mrs. Wagoner called the Planning Commission meeting back to order.

6/25/2026 9:10 PM **Text Amendment – Repeal *"data processing facility"* in Zoning Ordinance:** Mr. Dean made a motion to repeal "data processing facility" from section 3-4(z), 3-5(u), 4-10.6 and Article X in the zoning ordinance. It was seconded by Mr. Buchanan Jr., and the following vote recorded:

Vote: 7 yeas — Buchanan Jr., Campbell, Davidson Jr., Dean, Meadows, Shepherd, and Wagoner
0 nays

6/25/2026 9:12 PM **Text Amendment – *Section 4-19 Data Center* and defining *Data Center* in Article X in Zoning Ordinance:** Mrs. Wagoner thanked citizens for attending the joint-public hearing and sharing their comments. She then asked if there were any motions; with none, she made a motion to table the texts amendments until their July 23 meeting. It was seconded by Ms. Meadows, and the following vote recorded:

Vote: 7 yeas — Buchanan Jr., Campbell, Davidson Jr., Dean, Meadows, Shepherd, and Wagoner
0 nays

6/25/2026 9:12 PM With no further questions or comments, Mr. Davidson Jr. made a motion to adjourn; it was seconded by Mr. Shepherd and unanimously approved.

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Tony Dean, Secretary

Jessica Davidson
130 W Coyner Ave.
Marion, VA 24354

Crystal Jennings
616 Phillippi Hollow Rd.
Atkins, VA 24311

Ashley Privett
295 Backmeadows Ln.
Marion, VA 24354

Billy Stamper
307 W Chilhowie St.
Marion, VA 24354

Cameron Hulon
387 Bales Ln.
Marion, VA 24354

Dominic Bruzzo Morello
Culbert Dr.
Marion, VA 24354

Madelyn Jennings
616 Phillippi Hollow Rd.
Atkins, VA 24311

Matt Prater
123 First Ave.
Saltville, VA 24370

Hannah Combs
Scratch Gravel Rd.
Marion, VA 24354

Deidre McGeachy
445 Old Deerfield Rd.
Sugar Grove, VA 24375

Mike Albano
228 Robinhood Dr.
Marion, VA 24354

Becky Johnson
304 Dutton Rd.
Rural Retreat, VA 24368

Brittany Lefave
3052 Cedar Springs Rd.
Sugar Grove, VA 24375

Julie Loggins
Cove St.
Saltville, VA 24370

Paul Miller
5123 Sugar Grove Hwy.
Sugar Grove, VA 24375

Rebecca Glass
836 Chatham Hill Rd.
Marion, VA 24354

Travis Griffey
205 Still House Hollow Rd.
Saltville, VA 24370

Luci Wolfe
817 Scott St.
Marion, VA 24354

Dan Purefoy
531 E Main St.
Marion, VA 24354

Erin Anderson
Not Provided
Sugar Grove, VA 24375

Ellen
Not Provided
Marion, VA 24354

Greg Taylor
604 E Coyner Ave
Marion, VA 24354

Nella Shelton
Not Provided
Marion, VA 24354

Brittany Stephenson
Scratch Gravel Rd.
Marion, VA 24354

Margie Totes
Cedar Springs Rd.
Sugar Grove, VA 24370

Sam Taylor
329 Wassona Cir.
Marion, VA 24354

Dr. Charles Wassum
Not Provided
Marion, VA 24354

APPLICATION FOR MAP AMENDMENT
Commercial to Agricultural/Rural

Owner: **Donald & Ella Roberts**
Site: **beside 6066 Lee Hwy., Atkins**
Tax Map No.: **Tax Map Nos. 49B-1-18 through 49B-1-24**

Background Information

Donald and Ella Roberts own Lots 18 through 24 of the C P Atkins Subdivision containing approximately 2.75 acres. Mr. and Mrs. Roberts propose to build a single-family dwelling. They have requested their property be rezoned from Commercial (C) to Agricultural/Rural (A/R). Smyth County has identified this property as Commercial/Industrial on the *Future Land Use Map* in the Comprehensive Plan.

Relevant Zoning Ordinance Sections

§ 3-4 Commercial District (current zoning designation)
§ 3-2 Agriculture/Rural District (proposed zoning designation)
Article IX Amendments

Adjoining Property Owners

First Church of God
6118 Lee Hwy
Atkins, VA 24311

Ralph S Price
Diana T Price
721 Dogwood Ln
Marion, VA 24354

Stoneybrook Park LLC
P.O. Box 246
Marion, VA 24354

SMYTH COUNTY, VA

Smyth County
Building and Zoning Department
121 Bagley Circle, Suite 120
Marion, Virginia 24354

Direct Phone: (276) 706-8317
buildingandzoning@smythcounty.org
www.smythcounty.org

Assistant County Administrator - Development	*Clegg Williams*
Zoning Administrator	*Becca Creasy*
Building Official	*Cody Ridge*
Code Enforcement Officer	*Brian Thompson*
Administrative Assistant	*Kelsey Marchant*
GIS Coordinator	*Manuel Street*

APPLICATION TO AMEND ZONING ORDINANCE, ZONING MAP or FUTURE LAND USE MAP

Article IX of Zoning Ordinance

Date 10-1-26 **Application Fee: $500.00**

Name of Applicant Ella Roberts & Donald Roberts
Mailing Address 6058 Lee Hwy Atkins Va 24311
Telephone: (Home) _____ (Cell) [redacted]

Property Owner (if not applicant) _____
Mailing Address _____
Telephone: (Home) _____ (Cell) _____ (Email) _____

Preferred Method of Contact (circle one): **Home** **(Cell)** **Email**

911 Site Address or Adjoining Address _____

Legal Description of Property:
Tax Map Number 49B-1-18 thru 49B-1-23 Deed Book _____ Page _____
Subdivision Name _____ Lot # _____

Proposed Map Amendment or Future Land Use Map Amendment:
Existing Zoning District C Proposed Zoning District A/R

Proposed Text Amendment:
Existing Text: _____

Proposed Text: _____

Has the same or substantially same amendment been proposed previously? _____

Attach a Site Plan showing the following information:

a. Shape and dimensions of lot
b. Existing structures with distances to lot lines.
c. Dimensions and locations of all proposed buildings or structures (including additions or alterations) with distances to lot lines.
d. Existing and intended uses of the land and of each building or part of a building
e. Significant natural features, such as woods, streams, etc.
f. Existing and proposed roads and driveways
g. Source of water and means of sewage disposal
h. Existing public water and sewer lines
i. Off-street parking spaces

Attach a list of names and addresses of all abutting property owners and property owners directly across the street.

Waddell Transfer 6055 Lee Hwy Atkins Va 24311
UniFirst Corp 6073 Lee Hwy Atkins Va 24311
First Church of God 6118 Lee Hwy Atkins Va 24311

AFFIDAVIT:

I swear that: (check one)

✓ No member of the Smyth County Planning Commission or Smyth County Board of Supervisors or no member of the immediate household of any member of the Planning Commission or the Board of Supervisors has any interest in the property for which this Special Use Permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust;
or

_____ Members of the Smyth County Planning Commission or Smyth County Board of Supervisors or members of the immediate household of members of the Planning Commission or the Board of Supervisors who have an interest in the property for which this Special use permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust are listed below.

Disclosure of Ownership of Property for which this Special Use Permit is requested:
Names of all owners of the property, including in the case of corporate ownership, the name of stockholders, officers and directors, and in any case the names and addresses of all of the real parties of interest. (Requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.)

Donald Roberts Ella Roberts

9-30-26
Date

Ella Roberts Donald Roberts
Signature of Applicant

NOTARY PUBLIC

STATE/COMMONWEALTH OF Virginia
City/County of Smyth

The foregoing signature(s) were subscribed and sworn before me this 30 day of September, 2026 by Ella Roberts and Donald Roberts.

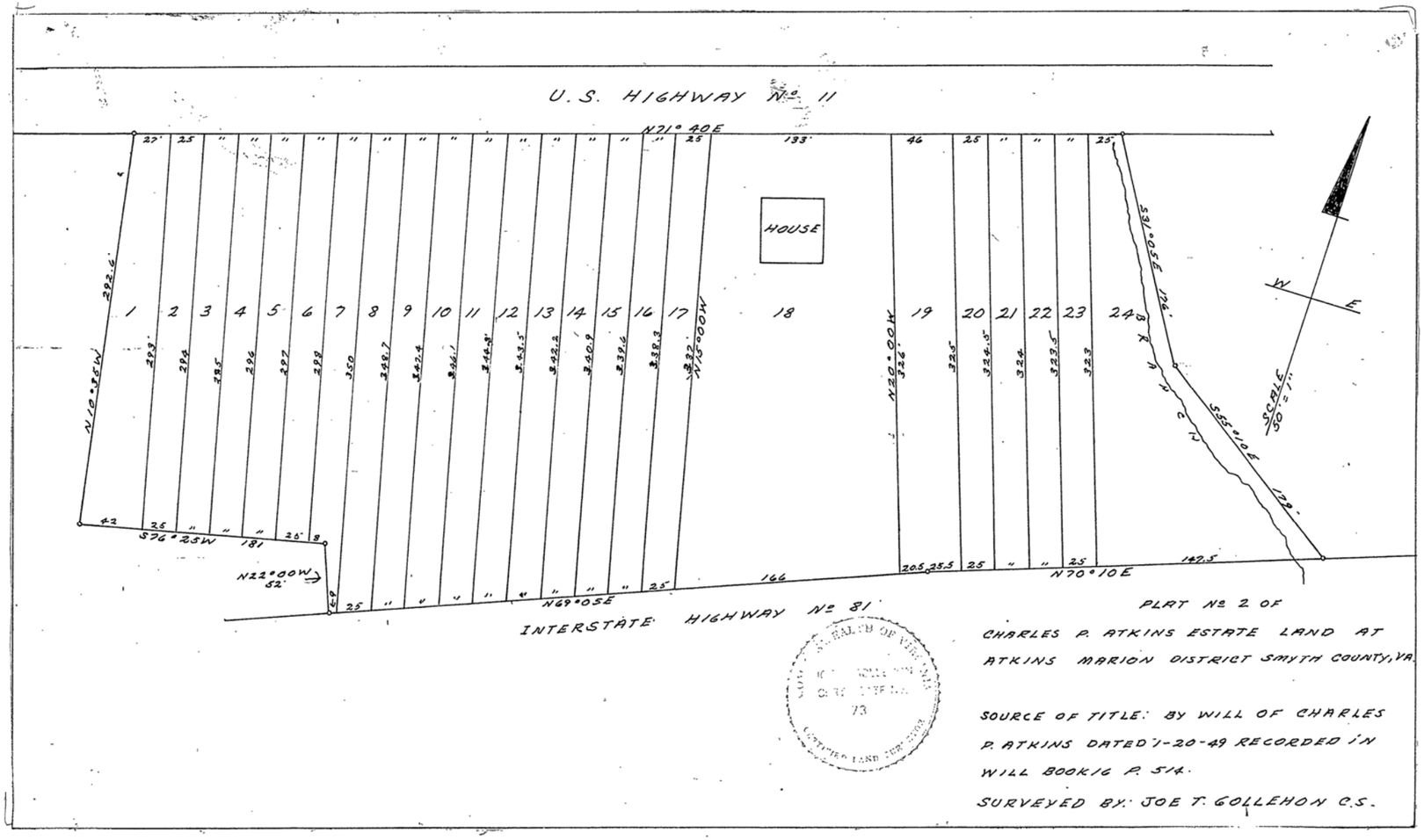
Kelley A. Stanton
Notary Public

My Commission Expires March 30, 2028 My Registration No. 7688722
March 31, 2028 (KAS)

KELLEY A STANTON
Notary Public
Commonwealth of Virginia
Registration No. 7688722
My Commission Expires Mar 31, 2028

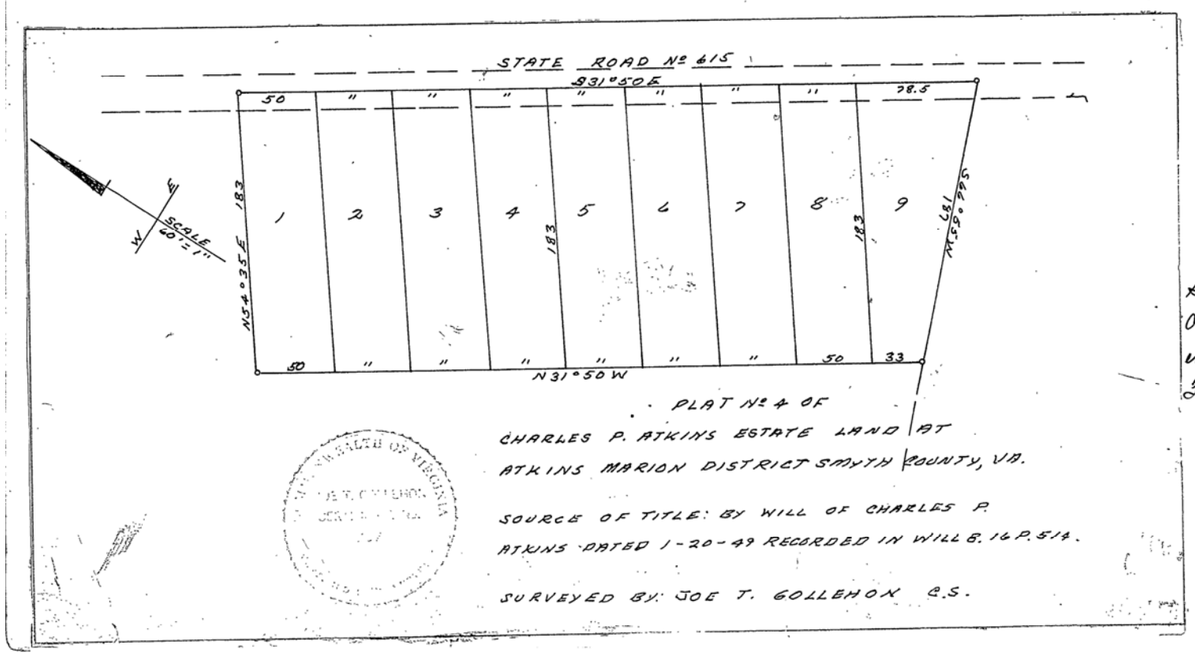
#SMYTHSTRONG

See Deed between Margaret A. Monnure et ale to Mary Elsie Atkins. Recorded December 18-1962 in Deed Book 188 Pg-394.
Teste: Nancy Sprinkle Deputy Clerk



PLAT No 2 OF
CHARLES P. ATKINS ESTATE LAND AT
ATKINS MARION DISTRICT SMYTH COUNTY, VA.

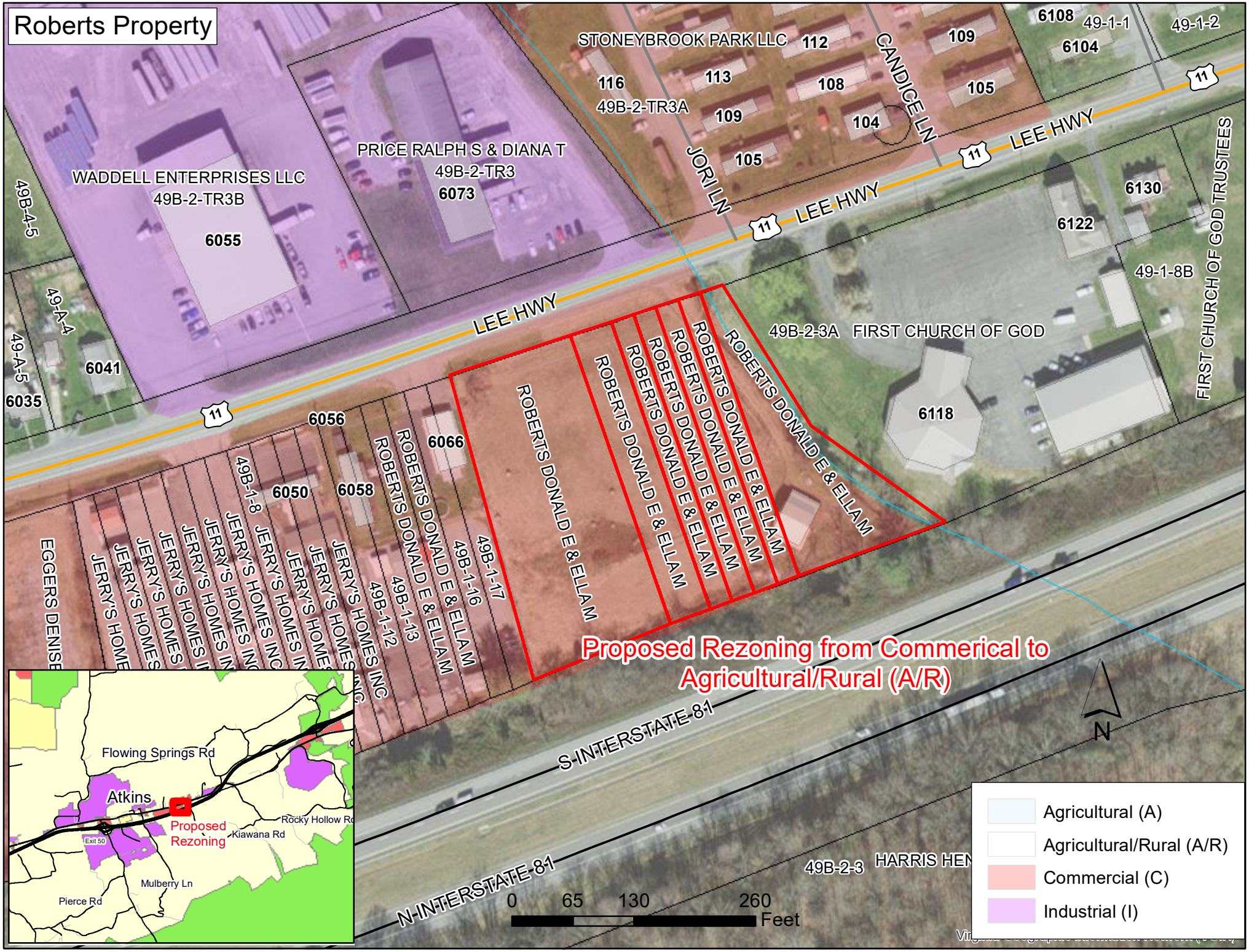
SOURCE OF TITLE: BY WILL OF CHARLES P. ATKINS DATED 1-20-49 RECORDED IN WILL BOOK 16 P. 514.
SURVEYED BY: JOE T. GOLLEHON C.S.



PLAT No 4 OF
CHARLES P. ATKINS ESTATE LAND AT
ATKINS MARION DISTRICT SMYTH COUNTY, VA.

SOURCE OF TITLE: BY WILL OF CHARLES P. ATKINS DATED 1-20-49 RECORDED IN WILL B. 16 P. 514.
SURVEYED BY: JOE T. GOLLEHON C.S.

See Deed between Margaret A. Monnure et ale and Roscoe Edwards et ux. Recorded January 5-1963 in Deed Book 188 Page 554.
Teste: Nancy S. Crouse - Deputy Clerk


Roberts Property
STONEYBROOK PARK LLC
112
109
116
113
108
105
49B-2-TR3A
109
104
105
CANDICE LN
JORI LN
6108
49-1-1
49-1-2
6104
11
LEE HWY
WADDELL ENTERPRISES LLC
49B-2-TR3B
6055
PRICE RALPH S & DIANA T
49B-2-TR3
6073
6130
6122
49-1-8B
FIRST CHURCH OF GOD TRUSTEES
49B-4-5
49-A-4
49-A-5
6035
6041
49B-2-3A FIRST CHURCH OF GOD
6118
6056
6066
6050
6058
49B-1-8
ROBERTS DONALD E & ELLA M
49B-1-17
49B-1-16
49B-1-13
49B-1-12
JERRY'S HOMES INC
EGGERS DENISE
Proposed Rezoning from Commerical to Agricultural/Rural (A/R)
S-INTERSTATE-81
N-INTERSTATE-81
49B-2-3
HARRIS HEN
N
0 65 130 260
Feet
Flowing Springs Rd
Atkins
Proposed Rezoning
Kiawana Rd
Rocky Hollow Rd
Exit 50
Mulberry Ln
Pierce Rd
Agricultural (A)
Agricultural/Rural (A/R)
Commercial (C)
Industrial (I)

APPLICATION FOR SPECIAL USE PERMIT
Battery Storage Facility

Applicant: **Laurel Creek Energy Storage II LLC**
Site: **Maloyed Place, Saltville, Virginia (behind AEP substation)**
Tax Map No.: **18-1-9**

Background Information

Laurel Creek Energy Storage II LLC is applying for a special use permit to construct a *Battery Storage Facility* on a tract of land presently owned by James and Vickie Holmes at 3447 Maloyed Place in Saltville. The property is Tax Map No. 18-1-9, consists of approximately 30.70 acres, and is located behind the AEP Broadford substation where they will tie into the power grid. The property is zoned Agricultural/Rural and is identified as Institutional/Public Service on the *Future Land Use Map* in the Comprehensive Plan. A special use permit for Laurel Creek Energy Storage was approved with conditions by the Board of Supervisors on November 9, 2023, for the parcel located behind the proposed second facility (tax map number 18-1-9B). A copy of the special use permit and the approved conditions are in this file.

Relevant Zoning Ordinance Sections

Section 3-2	Agricultural/Rural District
Article X	Definitions
Article VI	Special Use Permit

Adjoining Property Owners

Jerry W. Bise
Dorothy M. Bise
106 Morehead Lane
Tazewell, Virginia 24651

Raymond H Holmes, Jr
Delores Holmes
3410 Maloyed Pl
Saltville, Virginia 24370

Jeffery Scott Waddle
Shelly W Waddle
326 Long Hollow Rd
Saltville, Virginia 24370

Appalachian Power
Attn: Robert Mann
Real Estate Asset Management
40 Franklin Road SW
Roanoke, Virginia 24011

SMYTH COUNTY, VA

Building and Zoning Department
121 Bagley Circle, Suite 120
Marion, Virginia 24354

Direct Phone: (276) 706-8317
buildingandzoning@smythcounty.org

Department Administrator — *Clegg Williams*
Zoning Administrator — *Becca Creasy*
Code Enforcement Officer — *Stacy Barrett*
Code Enforcement Officer — *Brian C. Thompson*
Administrative Assistant — *Kelsey Marchant*
GIS Coordinator — *Manuel Street*

APPLICATION FOR SPECIAL USE PERMIT

Article VI of Zoning Ordinance

Date: 10.01.2026

Name of Applicant Laurel Creek Energy Storage II LLC

Mailing Address 1780 Hughes Landing Blvd, Suite 675, The Woodlands, TX 77380

Phone: (Home) Office: 832-585-1238 (Cell) N/A (Email) laurelcreek2@pluspower.com

Property Owner's Name (if not Applicant) James and Darlene Holmes

Mailing Address 3459 Maloyed Place, Saltville, Smyth County, VA 24370

Phone: (Home) 276-496-5706 (Cell) N/A (Email) N/A

Preferred Method of Contact (check one): ☑ **Home** ☐ **Cell** ☐ **Email**

911 Site Address or Adjoining 911 Address 3459 Maloyed Place, Saltville, Smyth County, VA 24370
(project 911 address to be sought prior to construction) Tax Map No. 18-1-9*
(*with 138-kV tie line to Broadford Substation on 18-A-34)

Existing Use of Property: Agriculture

Proposed Use as defined in the Zoning Ordinance: Battery storage facility/energy storage facility**
**with 138-kV tie line, project substation, and other electrical, operation, maintenance, and interconnection structures and equipment

Uses of immediately adjoining properties: north: residential, south: proposed Laurel Creek Energy Storage, east/northeast: existing Broadford electrical substation, west: vacant/agricultural land

Source of Water: well or water tank **Means of Sewage Disposal:** septic

Attach a Site Plan showing the following information:

a. Shape and dimensions of lot
b. Existing structures with distances to lot lines.
c. Dimensions and locations of all proposed buildings or structures (including additions or alterations) with distances to lot lines.
d. Existing and intended uses of the land and of each building or part of a building
e. Significant natural features, such as woods, streams, etc.
f. Existing and proposed roads and driveways
g. Existing public water and sewer lines
h. Off-street parking spaces

Zoning District: Agricultural /Rural (A/R)

Attach a list of names and addresses of all abutting property owners and property owners directly across the street.

AFFIDAVIT:

I swear that: (check one)

✓ No member of the Smyth County Planning Commission or Smyth County Board of Supervisors or no member of the immediate household of any member of the Planning Commission or the Board of Supervisors has any interest in the property for which this Special Use Permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust;

or

_____ Members of the Smyth County Planning Commission or Smyth County Board of Supervisors or members of the immediate household of members of the Planning Commission or the Board of Supervisors who have an interest in the property for which this Special use permit is requested, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust are listed below.

Disclosure of Ownership of Property for which this Special Use Permit is requested:
Names of all owners of the property, including in the case of corporate ownership, the name of stockholders, officers and directors, and in any case the names and addresses of all of the real parties of interest. (Requirement of listing names of stockholders, officers and directors shall not apply to a corporation whose stock is traded on a national or local stock exchange and having more than 500 shareholders.)

James and Darlene Holmes

Sep 23, 2026
Date

Amanda Hamilton
Signature of Applicant
Attorney-in-Fact

NOTARY PUBLIC

STATE/COMMONWEALTH OF _____
City/County of _____

The foregoing signature(s) were subscribed and sworn before me this _____ day of _____, 20___ by _____ and _____.

_____
Notary Public

My Commission Expires _____ My Registration No._____

SEE ATTACHED CERTIFICATE

CALIFORNIA JURAT **GOVERNMENT CODE § 8202**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of SAN FRANCISCO

Subscribed and sworn to (or affirmed) before me on

this 23 *Date* day of SEPTEMBER *Month*, 2026 *Year*, by

(1) AMANDA HAMILTON

(and (2) _____ *Name(s) of Signer(s)*),

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

KRISTINA MARSH
Notary Public - California
San Francisco County
Commission # 2522716
My Comm. Expires Jun 9, 2029

Place Notary Seal and/or Stamp Above

Signature KRISTINA MARSH
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: APPLICATION OF SPECIAL USE PERMIT

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

©2019 National Notary Association

SMYTH COUNTY, VA

Smyth County
Building and Zoning Department
121 Bagley Circle, Suite 120
Marion, Virginia 24354

Direct Phone: (276) 706-8317
buildingandzoning@smythcounty.org

Ph. (276) 783-3298 ext. 1
Fax (276) 783-9314
www.smythcounty.org

#SMYTHSTRONG

OWNER'S CONSENT FORM

I/we, James + Vickie Darlene Holmes, hereby

grant permission for Laurel Creek Energy Storage II LLC

to seek a:

- [x] Special Use Permit
- [ ] Map Amendment (Rezoning)
- [ ] Variance to the Subdivision Ordinance
- [ ] Variance to the Zoning Ordinance
- [ ] Other: _____

for property I/we own at 3459 Maloyed Place Saltville, VA 24370

Tax Map No. 18-1-9

8/28/26
Date

James N. Holmes
Owner's Signature

8/28/26
Date

Vickie Darlene Holmes
Owner's Signature

NOTARY PUBLIC

STATE/COMMONWEALTH OF Virginia
City/County of Smyth

The foregoing signature(s) were subscribed and sworn before me this 28 day of August, 2026 by Erin Teaster and _____.

Notary Public

My Commission Expires July, 31, 2030 My Registration No. 00402651

ERIN JADE TEASTER
Notary Public
Commonwealth of Virginia
Registration No. 00402651
My Commission Expires Jul 31, 2030

LAUREL CREEK ENERGY STORAGE II – SMYTH COUNTY, VIRGINIA

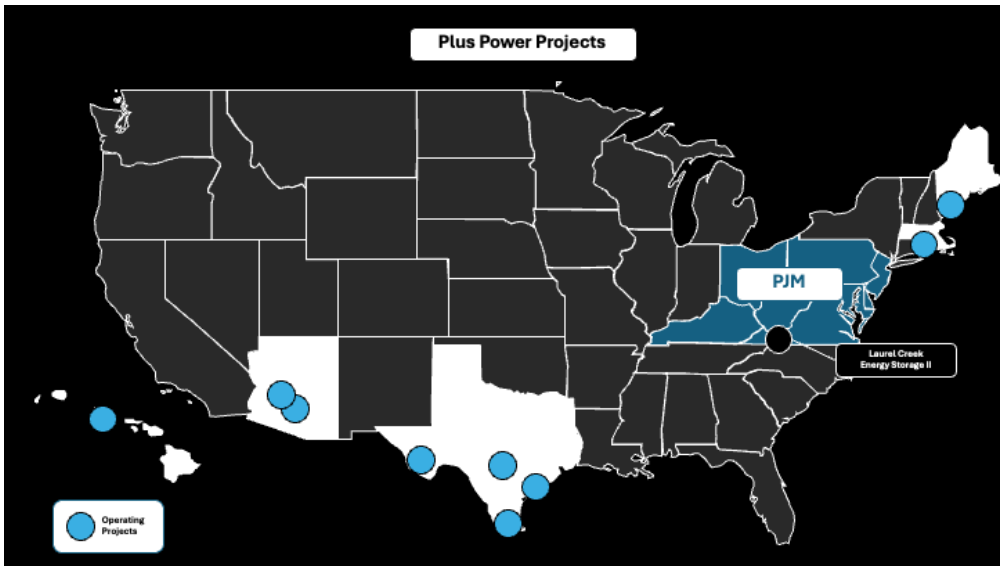
Applicant:	Laurel Creek Energy Storage II LLC, a Delaware limited liability company ("Applicant")
Owner:	James and Darlene Holmes (collectively, the "Owner")
Project Name:	"Laurel Creek Energy Storage II" or "Laurel Creek II"
Property:	Smyth County ("County") Tax Map Parcel 18-1-9, consisting of approximately 33 acres (with 138-kV to the Broadford Substation on Tax Map Parcel 18-A-34), as depicted on the Site Plan (the "Property")
Current Zoning:	Agricultural/Rural ("A/R")
Requests:	(1) A special use permit ("SUP") to permit the development, construction, operation, and maintenance of a Battery Storage Facility/Energy Storage Facility and 138-kV transmission line, project substation, and related accessory uses (collectively, the "Project"); (2) A Virginia 15.2-2232 Comprehensive Plan Review ("2232 Review") from the County's Planning Commission to confirm that the Project is substantially in accord with the Comprehensive Plan; and (3) A siting agreement pursuant to Virginia 15.2-2316.7 et seq. from the Smyth County Board of Supervisors.
Date:	September 30, 2026

OVERVIEW

The purpose of this application is to request a SUP pursuant to Sections 3-2, 4-18, and 6-2 of the Zoning Ordinance of Smyth County, Virginia ("Zoning Ordinance") to allow for the construction, operation, and maintenance of a battery storage facility/energy storage facility (with 138-kV tie line, project substation, and other electrical, operation and maintenance, and interconnection structures and equipment) on an approximately twenty-acre portion of the Property within the A/R zoning district (the "Project"). The Applicant further requests that the County's Planning Commission review the Project to confirm that its general or approximate location, character, and extent are substantially in accord with the County's Comprehensive Plan pursuant to Virginia Code Section 15.2-2232, all as discussed further below. Finally, the Applicant requests that Smyth County authorize execution of a siting agreement pursuant to Virginia 15.2-2316.7.

The Project is being developed by Plus Power, a U.S.-owned and -operated energy storage platform with a development history built on in-depth diversified market experience and commitment to local engagement ("Plus Power"). Plus Power has leveraged its deep experience

in standalone energy storage to develop a diversified portfolio of energy storage facilities throughout the United States including 9 operating facilities and 11 gigawatts currently in development across 20+ states, including the 250-MW Laurel Creek Energy Storage project previously approved by Smyth County in 2023. Its facilities help relieve regional grid congestion, increase transmission efficiency, and support the reliability of the electric grid.



The power grid, in all regions of the United States, needs grid stabilizers and additional energy storage resources to meet growing electricity demand. Standalone battery storage facilities, also called battery energy storage systems, or "BESS", uniquely offer both types of grid stabilization: ancillary services provided over milli-seconds to maintain grid performance, and stored energy over 4 hours to deliver energy during scarcity events. PJM Interconnection, the regional transmission organization responsible for managing the region's electric grid, is forecasting significant shortfalls and higher electricity prices due to surging electricity demand and the retirement of generation resources. Notably, Virginia is the second largest net importer of energy in the United States, and imports are projected to continue rising.[1] Accordingly, BESS facilities are crucial in addressing this increasing energy demand by acting as a stabilizing force for the grid – discharging power during periods of peak demand or grid instability, much like a pacemaker maintains a steady rhythm.

This application narrative is supplemented by information provided in the following exhibits:

- **Exhibit A**: Owner's Consent Form
- **Exhibit B**: Application for Special Use Permit
- **Exhibit C**: Site Plan and Landscaping Plan
- **Exhibit D**: Decommissioning Plan
- **Exhibit E**: Draft Emergency Action Plan (Emergency Response Plan)
- **Exhibit F**: Noise Study

[1] *See* U.S. Energy Information Administration, State Electricity Profiles, Data for 2024 (Nov. 10, 2025), https://www.eia.gov/electricity/state/?utm_medium=PressOps.

- **Exhibit G**: Visual Renderings

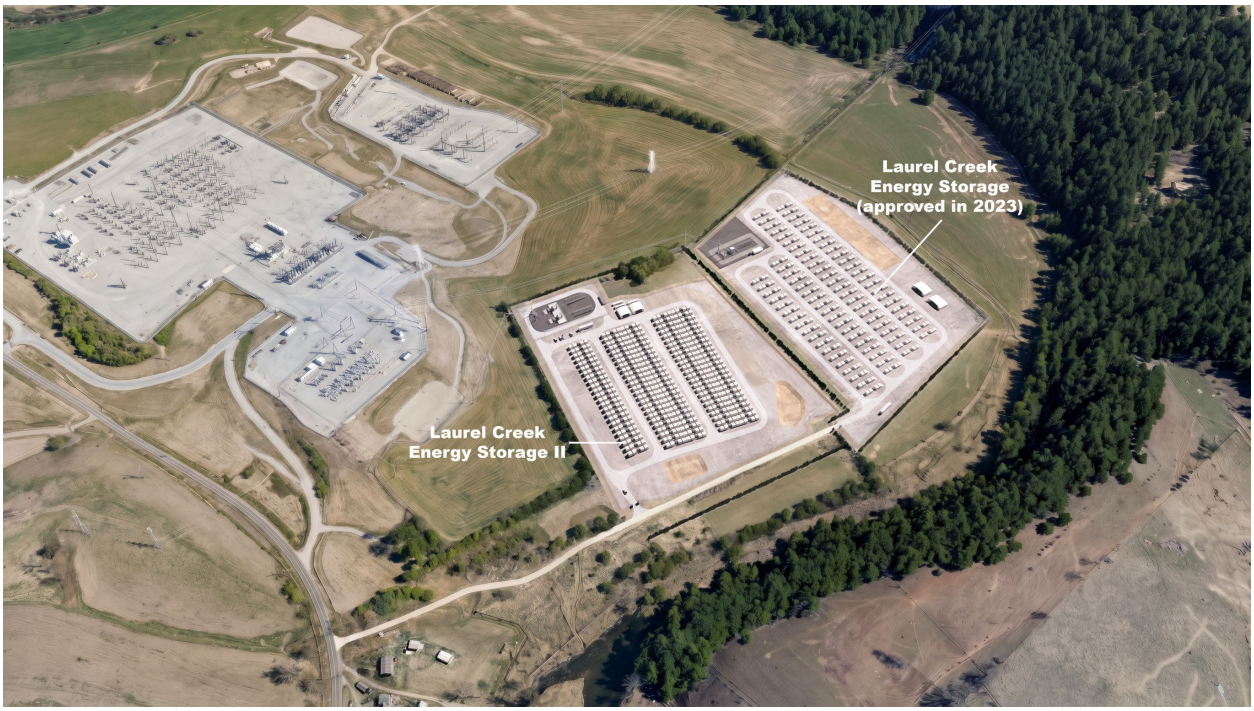
PROJECT LOCATION

The Property for the proposed BESS, outlined below in yellow, is located off Saltville Highway and is adjacent to the existing Appalachian Power Broadford electric substation and transmission lines as well as the Laurel Creek Energy Storage project approved by the County in 2023. In this regard, the Project is appropriately located immediately adjacent to existing and approved electric infrastructure.



The Property contains vacant residential structures and previously disturbed land used for agricultural purposes. Once constructed, the Project's equipment area will encompass approximately twenty (20) acres of the Property, which consists of a total of approximately thirty-three (33) acres. The Project is expected to materially modernize and strengthen the area's electric grid while being complementary to existing and planned neighboring uses with its intentional, unobtrusive layout and design.

The rated power capacity of the Project is expected to be 375 megawatts ("MW") alternating current ("AC"), with a 1500 MW-hour ("MWh") energy storage capacity. In addition to regulation by the County, Laurel Creek Energy Storage II also will be subject to the regulatory jurisdiction of the Virginia State Corporation Commission ("SCC"). The Project intends to seek SCC approval in 2027.



APPLICATION FOR SPECIAL USE PERMIT

COMPLIANCE WITH SECTION 3-2. – AGRICULTURAL/RURAL (A/R).

Section 3-2.2(ggg) identifies "Battery Storage Facility/Energy Storage Facility" as a use permitted by special use permit in the A/R district following a public hearing and approval.

COMPLIANCE WITH SECTION 4-18. – BATTERY STORAGE FACILITY/ENERGY STORAGE FACILITY

a) Application general information requirements set forth below:

1) Decommissioning plan.

The Applicant's decommissioning plan is attached as **Exhibit D**.

2) Project description.

The Applicant is Laurel Creek Energy Storage II LLC, which will own and operate Laurel Creek Energy Storage II. The Project will include a new battery storage facility with associated electrical infrastructure, 138-kV electric overhead or underground lines and poles, a project substation, lightning rod, lighting poles, access roads, temporary construction areas, laydown yards, operation and maintenance facilities, equipment storage containers, and other ancillary structures and equipment.

The Project is located primarily on open pasture with little to no suitable habitat for threatened or endangered species and will require little to no tree clearing. Should any tree clearing become necessary, the Applicant will adhere to time-of-year restrictions as applicable, so no impacts to threatened or endangered species are anticipated. In addition, the Project anticipates avoiding the North Fork Holston River and adjoining wetlands west of the proposed development. The Property has been preliminarily surveyed for archaeological and architectural resources, and an additional field survey with shovel testing will be conducted to confirm the absence of any significant archaeological resources. The Project has been sited outside of the limited Prime Farmland except for the proposed access road which is aligned to join an existing access road south of Saltville Highway.

Operation of the Project will result in no air emissions or industrial wastewater streams. Water usage will be limited to that of the small office trailer serving approximately 3-5 employees with a septic system proposed.

3) Site plan.

The Applicant's site plan is attached as **Exhibit C**.

b) Special requirements.

The Project is designed to be constructed, operated, and maintained in compliance with all applicable provisions of the Virginia Building Codes and Virginia Statewide Fire Prevention Codes, and all relevant federal, state and local regulatory requirements.

Notably, the Applicant has included a draft emergency action plan ("EAP" or also called "Emergency Response Plan") as **Exhibit E** of this application. The EAP includes a detailed site overview, emergency contact information, a site map, system-specific fire protection and safety controls, potential hazards, emergency response procedures, and a commitment to initial and ongoing training of fire department personnel.

Finally, the Applicant proposes minimum 50' setbacks within which Laurel Creek II proposes to plant a vegetative buffer at least 15' wide around the perimeter of the Project. The vegetative buffer will contain staggered trees and other vegetation to minimize visibility to surrounding neighbors. The Site Plan and Landscaping Plan demonstrating compliance with this section's setback and visual screening requirements area enclosed as **Exhibit C**.

c) Factors relating to approval.

1) The visual impact of the project, in conjunction with landscaping and screening plans.

As noted above, the Applicant has included a Site Plan and Landscaping Plan, attached as **Exhibit C**, demonstrating compliance with the Vegetative Buffer visual screening requirements contained in Section 4-18(b)(7) of the Zoning Ordinance.

2) Impacts to protected environmental features.

The area proposed to be developed for the Project does not contain any identified protected environmental features other than sporadic trees that are conservatively assumed to be bat habitat. As indicated above, any tree clearing will adhere to federally recommended time-of-year restrictions as applicable, so no impacts to threatened or endangered species are anticipated.

3) An onsite fire monitoring system or fire watch prevention plan as required by the authority having jurisdiction of the County of Smyth.

Modern battery storage systems come equipped with battery management systems that allow for constant monitoring of every individual battery cell for various datapoints including voltage, current, temperature, and other metrics. These data are transmitted to remote operations centers that instantly would be notified should any concerning thresholds be exceeded. This would allow for immediate engagement with emergency personnel consistent with the EAP to be approved by the authority having jurisdiction in Smyth County.

d) Bonding requirements.

The Applicant has no objection to a reasonable requirement for financial assurance to secure compliance with the conditions and limitations contained in the requested SUP.

COMPLIANCE WITH SECTION 6-2.3. GENERAL STANDARDS

a) It is designed, located and operated so as the public health, safety and welfare will be protected.

The Project is similar in character to the existing electric substation and transmission lines and the approved Laurel Creek Energy Storage project and will adhere to required setbacks and vegetative screening. Its batteries will use a battery management system that monitors every individual battery cell for voltage, temperature, and current, plus 24/7 remote monitoring, consistent with National Fire Protection Association ("NFPA") 855, *Standard for the Installation of Stationary Energy Storage Systems*. The facility is emission-less, uses little water (for the office trailer), and generates minimal traffic. Finally, the Applicant will coordinate closely with the fire department to draft and implement an updated version of the EAP prior to construction. This EAP includes initial and recurring fire safety training for first responders.

b) It will not adversely affect other property in the area which it is located.

The Project is intentionally sited near electrical infrastructure, including the existing Broadford electric substation to the northeast and proposed Laurel Creek Energy Storage immediately south, making the Project similar in character to the surrounding community. With required and proposed setbacks, fencing, and vegetative screening, the low-profile enclosures will be minimally visible from surrounding properties and operation of the facility is not anticipated to be obtrusive. Traffic after construction will be minimal, no additional water or sewer demand is created, and there will be no meaningful strain on public resources.

c) It is within the listing of items requiring a special use permit as set forth in this Ordinance.

Section 3-2.2(ggg) identifies "Battery Storage Facility/Energy Storage Facility" as a use permitted by special use permit in the A/R district following a public hearing and approval.

d) It conforms to all applicable provisions of this Ordinance for the district in which it is to be located.

The Property is located in the AR zoning district. As shown on the Site Plan, the Project meets or exceeds the district's minimum lot size and setback requirements.

e) It must have direct access on a public road which can safely and adequately handle the automobile and truck traffic generated.

The Project will have access from Maloyed Place off Saltville Highway. Construction traffic is estimated to require approximately 20 vehicles per day during the approximately 12- to18-month construction period. Operational traffic will be minimal and generally limited to approximately 3-5 employees per day plus deliveries of spare parts, etc. Saltville Highway, which also served construction traffic for the Broadford Substation, will be adequate to provide necessary transportation needs during construction and operations. Maloyed Place will be improved to serve both the previously approved Laurel Creek Energy Storage project as well as Laurel Creek Energy Storage II.

f) There must be adequate safeguards to prevent soil erosion on the site and erosion and sedimentation on neighboring downhill and downstream properties during and after development.

An erosion and sediment control plan and stormwater management system will be designed for County approval, using standard best management practices (BMPs) during construction and permanent stormwater facilities post-construction. Proposed stormwater facilities have been conceptually designed and are shown on the Site Plan. The Applicant will seek a General Virginia Pollutant Discharge Elimination System (VPDES) Stormwater Permit for discharges of stormwater from construction activities and will prepare and implement an associated Stormwater Pollution Prevention Plan.

g) There is a satisfactory plan and methods for sewage disposal as approved by state regulatory agencies.

A small office trailer suitable for 3-5 employees will be maintained on the site and is anticipated to be served by septic system that will comply with all applicable state and local requirements.

h) There is suitable provision for the protection of privacy on adjoining property which is now in residential use or which may develop in residential use under the

provisions of this Ordinance. In this section protection of privacy shall mean effective screening against visual intrusion.

A vegetative buffer will be planted around the Project perimeter consistent with § 4-18(b)(7), using native plantings where practicable, to screen the low-profile enclosures from adjoining residential views. A Landscaping Plan is included with the application as **Exhibit C**.

i) In the case of manufacturing, there shall be a satisfactory plan proposed to eliminate the adverse impact on any adjoining residential uses from any dust, smoke, odor, or glare that results from the operation of the manufacturing use.

Not applicable.

j) In the case of quarry and mining operations, where permitted as a special use, there must be a satisfactory plan for reclamation of the land and restoration of the natural landscape and all mining activities must be conducted in accordance with the applicable regulations of the Virginia Department of Mines, Minerals, and Energy.

Not applicable.

k) In the case of junkyards and graveyards, the operation must be a legitimate business involved in buying and selling of discarded materials or used vehicle parts, and is subject to the requirements of Section 4.7.

Not applicable.

ADDITIONAL PROJECT INFORMATION

Laurel Creek II supplemented this application with a noise study titled "Laurel Creek Energy Storage II Noise Analysis Smyth County, VA", prepared by Kimley Horn, dated September 25, 2026, and attached hereto as **Exhibit F** ("Noise Study"). Results of the Noise Study indicate that noise levels from operation of the Project (to include the BESS, inverter/transformer power conversion systems and associated structures, and substation) are estimated to range from approximately 45 dB(A) to approximately 55 dB(A) at nearby sensitive receivers. These modeled noise levels are below the recorded ambient noise levels in the area.

PROPOSED CONDITIONS

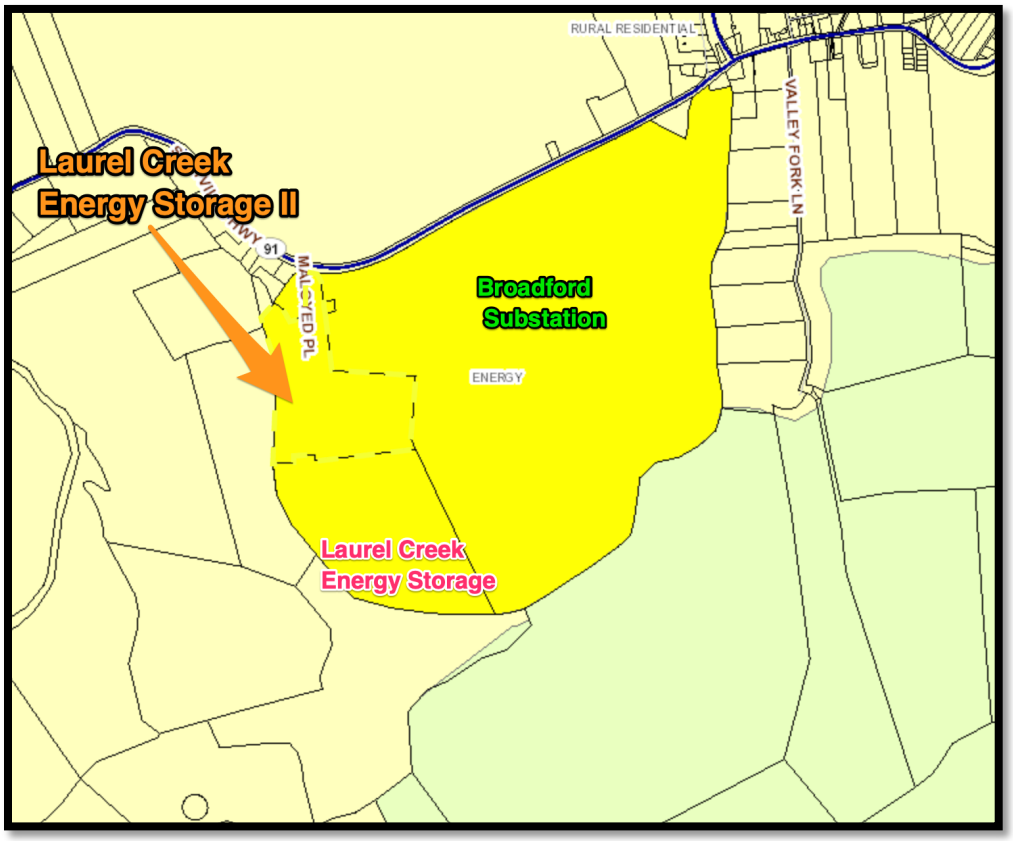
Pursuant to Section 6-2.2(b) of the Smyth County Zoning Ordinance, "The Commission may recommend and the Board of Supervisors may establish expiration dates for any special use permit as a condition of approval." Due to the delays in the interconnection process and to provide sufficient time to design, engineer, finance, and construct the Project, the Applicant respectfully requests that any Special Use Approval granted by the Board of Supervisors be valid for a period of six (6) years. In conjunction with the 6-year approval period, the Applicant shall be required to submit written project updates to the Smyth County Zoning Administrator every six months after

the initial approval by the Board of Supervisors. Updates provided via email shall be an acceptable form of submission. Project updates shall no longer be required once the project starts construction.

ACCORDANCE WITH COMPREHENSIVE PLAN ("2232 REVIEW")

The Property is designated for Energy use in the Future Land Use Plan within the Smyth County Comprehensive Plan, PlanSmyth 2044. In addition to being located within the designated Energy Land Use category, the Project's location is within the County's designated Energy Priority Area overlay. Accordingly, because the Project, a battery storage facility/energy storage system with a 138-kV tie line, project substation, and other interconnection facilities, is precisely the type of use contemplated as a future land use for this site in PlanSmyth 2044, the Applicant respectfully requests that the County determine pursuant to Va. Code § 15.2-2232 that the Project, including the 138-kV tie line, project substation, and all other interconnection facilities, is substantially in accord with the County's Comprehensive Plan.

The Applicant notes that, should a siting agreement be executed as requested below, the Project will be deemed substantially in accord with the County's Comprehensive Plan pursuant to Va. Code § 15.2-2316.9. Notwithstanding the provisions of this statute, the Applicant requests that the Planning Commission make this determination for avoidance of doubt.



SITING AGREEMENT

The Applicant respectfully requests that the Smyth County Board of Supervisors authorize the County Manager to execute a Siting Agreement with Laurel Creek Energy Storage II LLC. However, a final version of the siting agreement is not available at time of application submittal and will be provided for consideration after negotiations advance between the Applicant and Smyth County.

Exhibit A

Owner's Consent Form

Exhibit B

Application for Special Use Permit

Exhibit C

Site Plan and Landscaping Plan

Exhibit D

Decommissioning Plan

Exhibit E

Draft Emergency Action Plan (Emergency Response Plan)

Exhibit F

Noise Study

Exhibit G

Visual Renderings of Laurel Creek Energy Storage II





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SMYTH COUNTY, VA
121 BAGLEY CIRCLE SUITE 120
MARION, VA 24354-0000
Phone: (276)783-3298 ext: 227 Fax: (276)783-9314

Zoning Permit

Permit Status: ACTIVE
Permit Number: ZONE-10-23-42066

Issue Date: 11/9/2023 **Expires: 10/26/2028** **Application Date: 8/29/23**

Applicant:	LAUREL CREEK ENERGY STORAGE LLC	**Permit Type:**	ZONING PERMIT
Address:	1780 HUGHES LANDING BOULEVARD STE 675	**Work Classification:**	<NONE>
	THE WOODLANDS, TX 77380-	**Parcel #:**	18-1-9B
Phone:	(832)585-1236	**Job Address:**	PAST 3447 MALOYED PLACE
		Zoning:	A/R

FRONT SETBACK: 50' FROM LOT LINE

LEFT SETBACK: 50' FROM LOT LINE

RIGHT SETBACK: 50' FROM LOT LINE

BACK SETBACK: 50' FROM LOT LINE

FLOODPLAIN: YES, SEE COMMENTS

WATER SOURCE: N/A

SEWAGE: N/A

PROPOSED USE: BATTERY STORAGE FACIILITY

Comments: 250 MW/1000MWh BATTERY ENERGY STORAGE SYSTEM (BESS)
SPECIAL USE PERMIT APPROVED BY BOS 11/9/2023 SEE FILE FOR SUP CONDITIONS
APPLICANT TO PROVIDE ZONING ADMINISTRATOR WITH PROJECT UPDATES EVERY SIX MONTHS UNTIL ESC/SWM & BUILDING PERMITS ARE ISSUED.
SUP EXPIRES 11/9/2028 IF PROJECT IS ABANDONED.
WHILE PART OF THE PROPERTY IS LOCATED IN THE SFHA, THE APPROVED SITE PLAN IS LOCATED OUTSIDE THE SFHA.

OWNERS AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

Fees Due	Amount
Total:	

Invoice Number	Amt Due	Pay Type	Trans #	Amt Paid
			N/A	
Total:				

NOTE: Completion of the applicant's portion of this application does not guarantee that a zoning permit will be issued. The application will be used to determine if your project complies with the Zoning Ordinance.

If issued, the zoning permit shall expire if use of the site authorized by the permit is not commenced withing twelve months after issuance of the permit and completed within another twelve months.

Peggy Williams
Signature of Zoning Director

DocuSigned by:
Mike Hopkins
8A9166CB30824BA...
Signature of Owner or Agent

DocuSign Envelope ID: 02005067-5CF4-4E98-896C-BDA0FCC8FEA6

SMYTH COUNTY
BUILDING AND ZONING DEPARTMENT
121 Bagley Circle, Suite 120
Marion, Virginia 24354
Phone: (276) 706-8317
buildingandzoning@smythcounty.org

SPECIAL USE PERMIT – SITE CONDITIONS

LAUREL CREEK ENERGY STORAGE LLC
(Battery Storage Facility)

The Smyth County Board of Supervisors approves the Special Use Permit for Laurel Creek Energy Storage LLC to construct, maintain, and operate a battery storage facility on Tax Map No. 18-1-9B and the associated electrical infrastructure, including 138 kV electric lines and poles and other equipment, on Tax ID: 18-A-34, subject to the following conditions:

1. The Special Use Permit shall be issued to Laurel Creek Energy Storage LLC to construct, maintain, and operate a battery storage facility at the site. These conditions shall apply to any person or entity that owns or operates the facility at the site pursuant to this Permit. The current facility owner and operator shall provide the Zoning Administrator with written notice of any change in the owner or operator of the facility.

2. The facility, including the project area, battery storage enclosures, buildings, accessory structures, entrances, fencing, vegetative buffers, , and rated capacity, shall be sited, developed, constructed, installed, operated, and maintained in substantial conformance with the site plan and project narrative presented by the applicant, except to the extent such plan or narrative is inconsistent with the Ordinance or any condition in this Special Use Permit. The Zoning Administrator shall determine "substantial conformity".

3. Laurel Creek or any other owner or operator, shall comply with all requirements of Article IV, Section 4-18, of the Smyth County Code ("Battery Storage Facility" or "Ordinance") that apply to battery storage facilities.

4. The owner, operator, and facility shall always comply with all applicable federal, state, and local laws, rules, regulations, codes, ordinances, and other requirements. The owner, operator, and facility shall obtain and, as necessary, maintain all applicable federal, state, and local permits.

5. The facility owner and operator shall provide additional information regarding the facility's permitting and operations when requested by county officials regarding the facility, respond to additional inquiries by county officials, and allow designated county officials to

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have access to the facility for inspections in accordance with applicable safety and operational constraints, with prior notice to the facility owner, unless an emergency.

6. Any proposed expansion of the facility beyond the megawatts approved herein as described in the Application and as depicted on the approved site plan, change of activities conducted at the facility from those permitted herein, or additional facilities or activities beyond those permitted herein shall be submitted to the Zoning Administrator for review. If the Zoning Administrator deems such proposed changes to be material modifications, they will be subject to Permit amendment procedures, including Public Hearings. As described in the Application and as depicted on the approved site plan, the facility owner will likely need to install future capacity maintenance units in the future. It is understood that these installations are ongoing maintenance and not a material modification and, therefore, will require building and electrical permits only. Pursuant to condition 5, the facility owner and operator shall provide additional information regarding the facility's operating capacity when requested by county officials.

7. All entrances to the site shall be constructed and maintained in good condition as authorized and approved by the Virginia Department of Transportation, as applicable.

8. Security fencing around the project area shall be maintained in good condition until the facility has been decommissioned and removed. It shall be the responsibility of the facility owner and/or operator to repair fencing promptly upon learning of any disrepair.

9. Disturbed areas within the project area, disturbed areas within the setback, and installed vegetative buffers shall be planted with appropriate native plants, shrubs, and trees, as stated in the landscaping and screening plan, unless the Zoning Administrator determines the disturbed area is not appropriate for such the vegetative buffer shall promptly following completion of construction in such a manner as to reduce invasive weed growth and sediment run-off.

10. Trees planted in the vegetative buffer shall be at least (3) three feet tall at time of planting and expected to grow to a minimum of eight (8) feet within (3) years.

11. The applicant shall install chain-link fencing on the interior of the buffer. Until such time as the vegetative buffer completely screens the battery energy storage facility from the view of adjacent property owners, the owner and/or operator shall use green privacy slats in the required fencing. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the planning commission when the applicant proposes to use existing wetlands or woodlands, as long as the wetlands or woodlands are permanently protected for use as a buffer. Existing trees and vegetation may be maintained within such buffer areas except where dead, diseased or as necessary for development or to promote healthy growth, and such trees and vegetation may supplement or satisfy landscaping requirements as applicable. If existing trees and vegetation are

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impacts upon future site use, environmental and adjacent property impacts. The Zoning Administrator or their designee may approve a request by the landowner for alternatives to site restoration to allow roads, pads or other items which will serve a future permitted site use to remain. Where applicable, if the Zoning Administrator or their designee determines that a restoration plan significantly deviates from the description and conditions approved by the Board of Supervisors such plan shall require amendment of the conditions by the Board of Supervisors

e. The initial decommissioning security required pursuant to Section 4-18(d) of the Ordinance shall equal not less 100% of the estimated total cost to disassemble and dispose of the battery energy facility and restore the site, unless a revised decommissioning cost estimate provided by third party Professional Engineer and based on engineering drawings issued for building permit demonstrate a reduction in cost is warranted in the Zoning Administrator's discretion. This security shall be in place prior to obtaining building permits or engaging in any land disturbance activity and shall remain in effect until decommissioning has been completed. The failure by the facility owner and/or operator to decommission the facility in accordance with this condition, the decommissioning plan procedure, and the Ordinance shall constitute a zoning violation and may be enforced as such. The security may be called on by the county to remedy the zoning violation and to pay all costs related to decommissioning the facility, including administrative and enforcement costs. The decommissioning plan and decommissioning cost estimate shall be provided to the Zoning Administrator every five years. Each decommissioning plan and cost estimate shall: (i) be sealed by a third party Professional Engineer; (ii) meet the requirements of Section 4-18(a)(1) of the Ordinance; (iii) be in form and substance acceptable to the Zoning Administrator; and (iv) require, among other things, that all salvageable materials be removed and sold or disposed of in accordance with all applicable federal, state, and local regulations. The amount of the required security shall be adjusted based on the updated decommissioning cost estimate, but it shall not be less than 100% of the total estimated decommissioning cost.

19. To ensure compliance with the conditions of this Special Use Permit, prior to the beginning of land disturbance activities, the applicant/owner shall provide the County with a performance bond in the amount of $500,000. This bond will be released upon satisfactory compliance with the site plan and screening-related conditions of the SUP, to be confirmed by the Smyth County Zoning Administrator.

20. The applicant shall provide an erosion and sediment control plan approved by Smyth County Building and Zoning Department. The facility owner and operator shall construct, maintain, and operate the facility in compliance with the approved erosion and sediment control plan.

21. The applicant shall provide a stormwater management plan approved by a third-party inspector or the Smyth County Building and Zoning Department. The facility owner and operator shall construct, maintain, and operate the facility in compliance with the approved stormwater management plan.

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disturbed, new plantings shall be provided for the buffer. The buffer shall be maintained for the life of the facility.

12. Any existing vegetative buffering used for screening of the facility shall remain in place and undisturbed until the facility has been decommissioned and removed.

13. The vegetative buffer shall be maintained in good condition until the facility has been decommissioned and removed.

14. Lighting shall be limited to the minimum necessary for security purposes and shall be designed, installed, and operated to minimize off-site effects as much as reasonably practicable.

15. Adequate space for parking shall be provided on-site to accommodate all employees and visitors as shown on the site plan included with the Special Use Permit application. It shall be the responsibility of the owner and operator to ensure employees and visitors park only on-site and not on VDOT's right-of-way or on adjacent parcels unless the owner(s) thereof provides written consent.

16. The owner and/or operator is responsible for maintaining the appearance of the site in good condition, including picking up litter from the site as needed on at least a bi-monthly schedule.

17. The owner and operator shall obtain and maintain an adequate amount of liability insurance to cover operations of the battery storage facility until the facility has been decommissioned and removed. Nothing herein shall prevent the owner and operator from obtaining additional liability insurance as they deem appropriate.

18. The applicant shall submit a final decommissioning plan, which shall include the following:
    a. The anticipated life of the project;
    b. Contact information for the party responsible for site decommissioning;
    c. Timeline for, and written description of, decommissioning procedures which shall include, but not limited to, removal of any above and below ground tanks, cables, fencing, debris, buildings, structures, or equipment, to include foundations and pads, related to the facility and restoration land and related disturbed areas to a natural condition or other approved state. At time of approval, the Board of Supervisors may approve and condition a request by an applicant to have certain items intended to be utilized to serve a permitted use on the site to remain, provided site plan approval is obtained;
    d. "Natural condition" shall be taken to mean the stabilization of soil and restoration of site vegetation and topography to its pre-existing condition to prevent erosion, provided that the exact method and final site restoration plan shall be subject to site plan review giving, among other things, consideration to

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22. The applicant shall provide a **detailed site plan that identifies all areas within the project area and setback where land will be disturbed and the location of vegetative buffers (whether utilizing existing or installed vegetation).**

23. The applicant shall provide a **construction plan** 30 days prior to commencing construction, **including a proposed construction schedule, anticipated start date, and hours of operation. The construction plan shall require, among other things, that construction activities, including but not limited to grading, clearing of land, and pile driving, shall be limited to hours between sunrise and sunset Monday through Saturday,** during construction, unless it obtains prior permission from the Smyth County Zoning Administrator to exceed those hours for emergency purposes.

24. Dust containment measures shall be utilized at all times, as necessary, to contain dust to the greatest extent possible from constituting a nuisance to nearby residents.

25. Prior to start of construction, the owner/operator will complete a pre-construction evaluation of the condition of the roads along the delivery routes to the Zoning Administrator for review. Upon completion of the construction, the owner/operator must submit a post-construction evaluation of the condition of the roads along the delivery routes to the Zoning Administrator for review. The post-construction evaluation shall include a plan for repairing any damage directly caused by the owner/operator to the public roads along the delivery route directly attributable to the project's construction, reasonable wear and tear excepted. Owner/operator will cold patch any damaged roads. The owner/operator shall be responsible for causing such repairs to be completed and shall be responsible for coordination of the repairs with VDOT. All roadway repairs along the delivery routes shall be made at owner/operator expense.

26. The applicant shall provide a report by the Virginia Department of Historic Resources Virginia Cultural Resource Information System identifying historical, architectural, archeological, or other cultural resources on or near the proposed facility.

27. The owner/operator, before commercial operation, shall facilitate a meeting with Fire department representatives and emergency service department personnel who are first responders to this project. The meeting shall consist of a tour of the facility, emergency contact numbers for the facility, grid switch cut-offs, and any other relative information that is critical to the safety of emergency personnel. At regular intervals thereafter, the owner/operator will facilitate additional meetings or training requested by fire department representatives and emergency service department.

28. The applicant and Smyth County shall enter into a Siting Agreement pursuant to VA § 15.2-2316.7, prior to the issuance of any county issued permits, including but not limited to building permits and erosion and sediment control permits.

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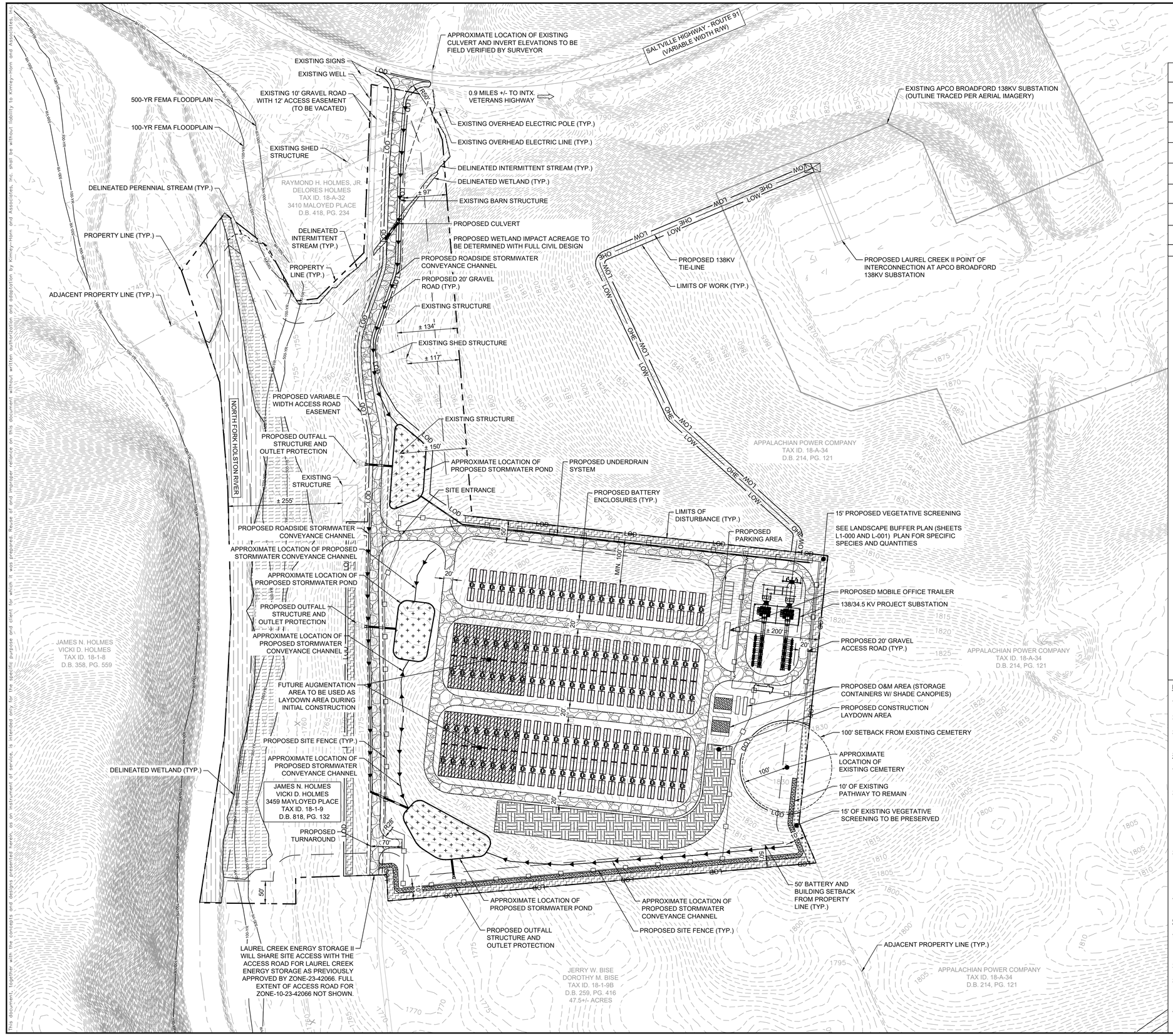
29. This Permit is non-transferable, except and unless the Permittee provides written notice regarding the transfer, the proposed new Permittee provides a signed statement agreeing to comply with all terms and Conditions imposed on the original Permit, and the proposed new Permittee provides substitute decommissioning security in the amount specified herein, and the proposed new Permittee pays all applicable County fees. There shall be a transfer fee of $1,000 paid to the County. If the new Permittee desires to amend the original permit conditions, amendments must be sent to the Zoning Administrator for review. If the Zoning Administrator deems such proposed changes to be material modifications, they will be subject to Permit amendment procedures, including public hearings.

30. The applicant must commence construction within this Special Use Permit's five (5) year term on or before October 26, 2028. If the applicant does not commence construction before this date, it may seek one-year extensions from the Board of Supervisors, which the Board may grant if the applicant shows progress on proceeding with the project. In conjunction with the 5-year approval period, the Applicant shall be required to submit written project updates to the Smyth County Zoning Administrator every six months after the initial approval by the Board of Supervisors. Updates provided via email shall be an acceptable form of submission. If the applicant commences construction on or before October 26, 2028, the special use permit does NOT need to be renewed in order for the battery storage facility to operate, be maintained or upgraded.

Failure of Permittee, owner, or operator to fully conform to all terms and conditions of this Permit may result in revocation of this Special Use Permit.

Defined terms used in these conditions shall have the meanings assigned to them in the Ordinance.

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LAUREL CREEK ENERGY STORAGE II

APPLICANT	LAUREL CREEK ENERGY STORAGE II LLC
APPLICATION TYPE	CONCEPT PLAN
STREET ADDRESS	3459 MALOYED PLACE, SALTVILLE, VA 24370
TAX PARCEL ID (PRN)	18-1-9
EXISTING ZONING	A/R - AGRICULTURAL/RURAL
EXISTING USE	AGRICULTURE
PROPOSED USE	BATTERY STORAGE FACILITY/ENERGY STORAGE FACILITY
TOTAL CAPACITY	375MW/1500MWh

LEGEND

- PROPERTY LINE
- PROPOSED PROPERTY LINE SETBACK
- 100' EXISTING CEMETERY SETBACK
- ADJACENT PROPERTY LINE
- DELINEATED WETLANDS
- NORTH FORK HOLSTON RIVER
- DELINEATED INTERMITTENT STREAM
- DELINEATED PERENNIAL STREAM
- 100-YEAR FEMA FLOODPLAIN (100-YR)
- 500-YEAR FEMA FLOODPLAIN (500-YR)
- EXISTING 1' CONTOUR
- EXISTING DIRT ROAD AND 12' ACCESS EASEMENT
- EXISTING FENCE
- EXISTING OVERHEAD UTILITY LINE (OHE)
- EXISTING UTILITY POLE
- EXISTING VEGETATIVE SCREENING
- PROPOSED 20' GRAVEL ACCESS ROAD
- PROPOSED 10' TRAIL
- PROPOSED VARIABLE WIDTH ACCESS EASEMENT
- PROPOSED 138KV TIE-LINE (OHE)
- PROPOSED FENCE
- PROPOSED GATE
- PROPOSED LANDSCAPE BUFFER
- PROPOSED CONSTRUCTION LAYDOWN AREA
- PROPOSED STORMWATER CONVEYANCE CHANNEL
- PROPOSED STORMWATER POND
- FUTURE AUGMENTATION UNITS
- BATTERY ENCLOSURES WITH MED. VOLT. TRANS.
- PROPOSED LIMITS OF DISTURBANCE (LOD)
- PROPOSED LIMITS OF WORK (LOW)

EXISTING CONDITIONS NOTES:

1. ALTA SURVEY SHOWN ON THIS EXHIBIT WAS CONDUCTED BY TIMMONS GROUP ON 06/26/2025.
2. THE TOPOGRAPHY SHOWN ON THIS EXHIBIT WAS PULLED FROM PUBLICLY AVAILABLE LIDAR DATA ON 08/26/2026.
3. WETLANDS, STREAMS, AND WATERBODIES SHOWN ON THIS EXHIBIT WERE PROVIDED IN THE WETLAND REPORT PROVIDED BY ERM DATED 06/24/2026.

SITE LAYOUT NOTES:

1. WITHIN THE PROPOSED VEGETATIVE BUFFER, EXISTING VEGETATION WILL BE PRESERVED TO THE EXTENT PRACTICABLE AND WILL COMPLY WITH SECTION 4-18(B)(7) OF THE SMYTH COUNTY ZONING ORDINANCE.
2. LOCATION OF VEGETATIVE BUFFER, ACCESS ROAD, OFFICE TRAILER, STORAGE CONTAINERS WITH SHADE CANOPY, PARKING AREA, LAYDOWN AREA, CAPACITY MAINTENANCE UNIT, BATTERY ENCLOSURES, FENCE LINES, IMPERVIOUS SURFACES, STORMWATER MANAGEMENT FACILITIES, AND ELECTRICAL INFRASTRUCTURE INCLUDING BUT NOT LIMITED TO PROJECT SUBSTATION AND 138-KV TIE LINE ARE APPROXIMATE IN NATURE AND EXACT LOCATIONS WILL BE CONFIRMED AS DESIGN ADVANCES. FINAL CIVIL DESIGN MAY VARY.
3. THE FINAL ROUTE AND DESIGN OF THE PROPOSED 138-KV TIE LINE CONNECTING THE PROPOSED SUBSTATION ON TAX MAP NO. 18-1-9 TO THE EXISTING BROADFORD SUBSTATION ON TAX MAP NO. 18-A-34 WILL BE DETERMINED PRIOR TO CONSTRUCTION. ADDITIONAL COORDINATION WITH APPALACHIAN POWER WILL BE REQUIRED. FINAL CIVIL DESIGN, INCLUDING ANY UNDERGROUND SEGMENT(S), MAY VARY.
4. SITE ACCESS FOR FIRE VEHICLES TO FOLLOW REQUIREMENTS WITHIN NFPA 1 SECTION 18.2.3.

CIVIL DESIGN NOTES:

1. THE APPROXIMATE LOCATION OF EROSION AND SEDIMENT CONTROL (ESC) MEASURES, STORMWATER PONDS, AND STORMWATER CONVEYANCE CHANNELS SHOWN ON THIS CONCEPT PLAN ARE PRELIMINARY IN NATURE AND SUBJECT TO CHANGE WITH ADVANCED CIVIL DESIGN.
2. THE ESC AND STORMWATER MANAGEMENT (SWM) PONDS ARE LOCATED IN ACCORDANCE WITH THE VIRGINIA STORMWATER MANAGEMENT HANDBOOK.
3. STORMWATER MANAGEMENT WILL BE PROVIDED AS CIVIL DESIGN ADVANCES. LOCATION AND TYPE (ABOVE GROUND OR BELOW GROUND) IS SUBJECT TO CHANGE AT SITE PLAN AND WILL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
4. LIMITS OF SIGNIFICANT SITE DISTURBANCE (I.E. CLEARING AND GRADING) ARE ENCLOSED BY THE "LOD" LINETYPE ON THE PLANS AND ARE SUBJECT TO CHANGE DURING FINAL SITE PLAN.

REV	DATE

LAUREL CREEK ENERGY STORAGE II

Kimley»Horn
© 2026 KIMLEY-HORN AND ASSOCIATES, INC.
11400 COMMERCE PARK DR., SUITE 400
RESTON, VA 20191
PHONE: 703-674-1300
WWW.KIMLEY-HORN.COM

NOT FOR CONSTRUCTION

KHA PROJECT 110950003
DATE 09/25/2026
SCALE AS SHOWN
DESIGNED BY GSB
DRAWN BY DAD
CHECKED BY CMH

LAUREL CREEK ENERGY STORAGE II
NORTH FORK VOTING DISTRICT
TAX MAP: 18-1-9
SMYTH COUNTY
VIRGINIA

CONCEPT PLAN

SHEET NUMBER
C1-000

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

SALTVILLE HIGHWAY - ROUTE 91
(VARIABLE WIDTH R/W)

0.9 MILES +/- TO INTX.
VETERANS HIGHWAY

EXISTING OVERHEAD ELECTRIC POLE (TYP.)

EXISTING OVERHEAD ELECTRIC LINE (TYP.)

EXISTING APCO BROADFORD 138KV SUBSTATION
(OUTLINE TRACED PER AERIAL IMAGERY)

RAYMOND H. HOLMES, JR.
DELORES HOLMES
TAX ID. 18-A-32
3410 MALOYED PLACE
D.B. 418, PG. 234

PROPOSED STORMWATER
CONVEYANCE CHANNEL

PROPOSED 20' GRAVEL
ROAD (TYP.)

PROPOSED 138KV
TIE-LINE

LIMITS OF WORK (TYP.)

PROPERTY LINE
(TYP.)

PROPOSED VARIABLE
WIDTH ACCESS ROAD
EASEMENT

APPALACHIAN POWER COMPANY
TAX ID. 18-A-34
D.B. 214, PG. 121

APPROXIMATE LOCATION OF
PROPOSED STORMWATER POND

EXISTING
STRUCTURE

15' BUFFER - TYPE 1
(TYP.)

PROPOSED BATTERY
ENCLOSURES (TYP.)

LIMITS OF
DISTURBANCE (TYP.)

15' BUFFER - TYPE 2
(TYP.)

APPROXIMATE LOCATION OF
PROPOSED STORMWATER POND

138/34.5 KV PROJECT SUBSTATION

PROPOSED 20' GRAVEL
ACCESS ROAD (TYP.)

JAMES N. HOLMES
VICKI D. HOLMES
TAX ID. 18-1-8
D.B. 358, PG. 559

APPALACHIAN POWER COMPANY
TAX ID. 18-A-34
D.B. 214, PG. 121

PROPOSED O&M AREA (STORAGE
CONTAINERS W/ SHADE CANOPIES)

PROPOSED STORMWATER
CONVEYANCE CHANNEL

PROPOSED CONSTRUCTION
LAYDOWN AREA

PROPOSED SITE FENCE (TYP.)

100' SETBACK FROM EXISTING CEMETERY

JAMES N. HOLMES
VICKI D. HOLMES
3459 MAYLOYED PLACE
TAX ID. 18-1-9
D.B. 818, PG. 132

APPROXIMATE
LOCATION OF
EXISTING CEMETERY

10' OF EXISTING
PATHWAY TO REMAIN

15' BUFFER - TYPE 2
(TYP.)

EXISTING VEGETATION
TO REMAIN (TYP.)

50'

50' BATTERY AND
BUILDING SETBACK
FROM PROPERTY
LINE (TYP.)

15' BUFFER - TYPE 1
(TYP.)

APPROXIMATE LOCATION OF
PROPOSED STORMWATER POND

PROPOSED SITE FENCE (TYP.)

ADJACENT PROPERTY
LINE (TYP.)

JERRY W. BISE
DOROTHY M. BISE
TAX ID. 18-1-9B
D.B. 259, PG. 416
47.5+/- ACRES

APPALACHIAN POWER COMPANY
TAX ID. 18-A-34
D.B. 214, PG. 121

NORTH

GRAPHIC SCALE IN FEET
0 50 100 200

LEGEND

BUFFER TYPE 1		APPROX. 1,512 LF
BUFFER TYPE 2		APPROX. 1,777 LF
EXISTING VEGETATION TO REMAIN		APPROX. 320 LF

NOTES:
1. SEE SHEET L1-001 FOR FULL PLANT SCHEDULE AND BUFFER DETAILS.
2. LANDSCAPE PLANTING SPECIES AND QUANTITIES ARE CONCEPTUAL AND MAY CHANGE DURING THE FINAL SITE PLAN DESIGN AND PERMITTING.

REV	DATE

LAUREL CREEK ENERGY STORAGE II

Kimley»Horn

© 2026 KIMLEY-HORN AND ASSOCIATES, INC.
11400 COMMERCE PARK DR., SUITE 400
RESTON, VA 20191
PHONE: 703-674-1300
WWW.KIMLEY-HORN.COM

NOT FOR CONSTRUCTION

KHA PROJECT 11095003
DATE 09/25/2026
SCALE AS SHOWN
DESIGNED BY AAP
DRAWN BY AAP
CHECKED BY ABE

LAUREL CREEK ENERGY STORAGE II
NORTH FORK VOTING DISTRICT
TAX MAP: 18-1-9
SMYTH COUNTY
VIRGINIA

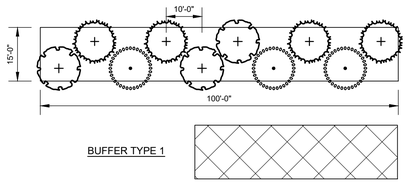
LANDSCAPE BUFFER PLAN

SHEET NUMBER
L1-000

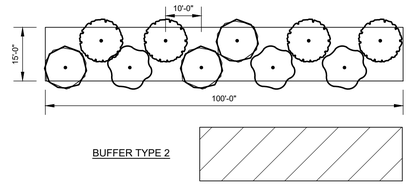
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PLANT SCHEDULE

EVERGREEN TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL / HT
	+/- 45	Cupressus x leylandii	Leyland Cypress	B & B	3` HT MIN
	+/- 55	Ilex opaca	American Holly	B & B	3` HT MIN
	+/- 60	Juniperus virginiana	Eastern Red Cedar	B & B	3` HT MIN
	+/- 45	Picea abies	Norway Spruce	B & B	3` HT MIN
	+/- 71	Pseudotsuga menziesii	Douglas Fir	B & B	3` HT MIN
	+/- 55	Tsuga canadensis	Eastern Hemlock	B & B	3` HT MIN



BUFFER TYPE 1



BUFFER TYPE 2

BUFFER TYPE 1



LEYLAND CYPRESS
CUPRESSUS X LEYLANDII



EASTERN RED CEDAR
JUNIPERUS VIRGINIANA



NORWAY SPRUCE
PICEA ABIES

BUFFER TYPE 2



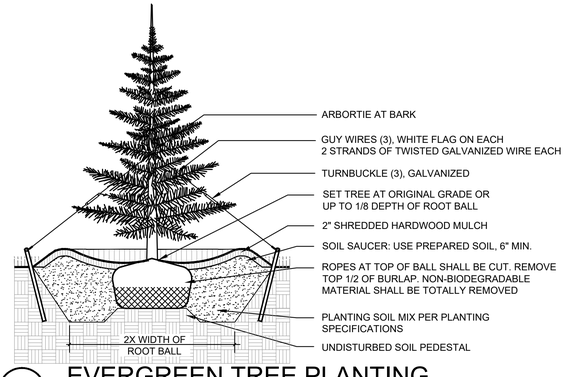
AMERICAN HOLLY
ILEX OPACA



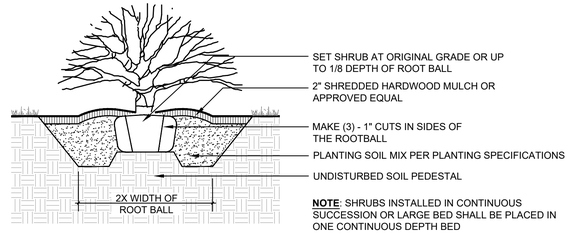
DOUGLAS FIR
PSEUDOTSUGA MENZIESII



EASTERN HEMLOCK
TSUGA CANADENSIS



A EVERGREEN TREE PLANTING
NOT TO SCALE



NOTE: SHRUBS INSTALLED IN CONTINUOUS SUCCESSION OR LARGE BED SHALL BE PLACED IN ONE CONTINUOUS DEPTH BED

B SHRUB PLANTING
NOT TO SCALE

REV	DATE

LAUREL CREEK ENERGY STORAGE II

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CHECKED BY ABE

LAUREL CREEK ENERGY STORAGE II
NORTH FORK VOTING DISTRICT
TAX MAP: 18-1-9
SMYTH COUNTY VIRGINIA

LANDSCAPE BUFFER PLAN

SHEET NUMBER
L1-001

Decommissioning Plan
Laurel Creek Energy Storage II
Smyth County, Virginia

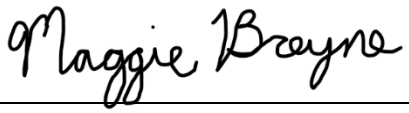


Prepared for:
Laurel Creek Energy Storage II LLC
1780 Hughes Landing Blvd, Ste 675
The Woodlands, Texas 77380

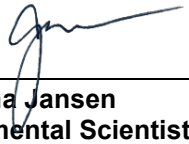
Prepared by:
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733 S. Marquette Ave, Unit 1000
Minneapolis, Minnesota 55402

Project No: 190300953
September 24, 2026

This document entitled Decommissioning Plan – Laurel Creek Energy Storage II, Smyth County, Virginia was prepared by Stantec Consulting Services Inc. ("Stantec") for the use of Laurel Creek Energy Storage II LLC (the "Client"). The material in this document reflects Stantec's professional judgment in light of the scope, schedule and other limitations stated in the document and in the contract between Stantec and the Client. The opinions in this document are based on conditions and information existing at the time this document was published and do not take into account any subsequent changes. In preparing the document, Stantec did not verify information supplied to it by others.



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1.0 INTRODUCTION

Laurel Creek Energy Storage II LLC (Laurel Creek II) is proposing to construct the Laurel Creek Energy Storage II Project (the Project) northeast of Saltville in Smyth County, Virginia. The battery energy storage system (BESS) Project encompasses approximately 17.5 acres within the perimeter fencing. The rated power capacity of the Project will be 375 megawatts (MW) alternating current [AC], with up to 1,500-MW-Hour (MWh) energy storage capacity. Major components of the Project include battery energy storage units with integrated inverters, transformers, associated structures and foundations, below ground electrical cabling and conduits, perimeter fencing, access drives, a BESS yard, an overhead transmission line, an underground transmission line, a Project substation, a stormwater pond, and operations and maintenance (O&M) structures.

Project construction is anticipated to start in mid-2031 and has a projected Commercial Operation Date in mid-2033. This Decommissioning Plan (Plan) provides a description of the decommissioning and site restoration phase of the Project. The decommissioning phase is assumed to include the removal of Project facilities as listed in Section 1.1 and shown in Figure 1. This Plan has been prepared to comply with the requirements stated in in the Smyth County Virginia Code of Ordinances, Appendix A, Article 4, Section 4-18 on Battery storage facility/energy storage facility (County Requirements).

This Plan provides an overview of the primary decommissioning activities, including the dismantling and removal of facilities, and subsequent restoration of land. A summary of estimated costs associated with decommissioning the Project is provided in Section 4.0. Summary statistics and estimated costs are provided, assuming a 375-$MW_{[AC]}$, 1,500 MWh Project design.

1.1 BATTERY STORAGE FACILITY COMPONENTS

The main components of the Project include:

- Battery energy storage units with integrated inverters and steel pile foundations
- Transformers and steel pile foundations
- Below ground electrical cabling and conduits
- Perimeter fencing
- Access drives
- BESS yard
- Project substation
- Stormwater pond
- Overhead and underground transmission line
- O&M structure and storage containers

1.2 TRIGGERING EVENTS AND EXPECTED LIFETIME OF PROJECT

Project decommissioning will be triggered by events such as abandonment, cessation of the use and events such as the end of the power purchase agreement or when the Project reaches the end of its operational life. The anticipated lifetime of the Project is approximately 25 years. There is an opportunity for additional years of operation with necessary equipment replacement or augmentation.

When decommissioned, the battery units will be shipped to a recycling facility, as described further in Section 2.2. Other components of the BESS facility with resale value may be sold in the wholesale market. Components with no wholesale value will be salvaged and sold as scrap for recycling or disposed of in accordance with local, state, and federal waste disposal regulations in effect at the time of decommissioning. Components with no wholesale value will be salvaged and recycled outside of Smyth County or disposed of at a licensed solid waste disposal facility (landfill) outside of Smyth County. Decommissioning activities will include removal of the BESS and associated components as described in Section 2.

1.3 DECOMMISSIONING SEQUENCE

Project decommissioning activities will be initiated within six (6) months of non-operation and will be completed within twelve (12) months of commencement. Monitoring and site restoration may extend beyond this period to ensure successful revegetation and rehabilitation. Laurel Creek Energy Storage II or the facility owner at the time of decommissioning will be the responsible party for Project decommissioning. The anticipated sequence of decommissioning and removal is described below; however, overlap of activities is expected.

- Reinforce access drives and internal BESS yard, if needed, and prepare site for component removal
- Install temporary fencing and best management practices (BMPs) to protect sensitive resources, if present, and control erosion during decommissioning activities
- De-energize BESS and associated electrical equipment
- Remove integrated battery storage units
- Remove transformers
- Remove steel pile foundations for BESS units and transformers
- Remove electrical cables and conduit
- Remove perimeter fencing
- Remove Project substation, overhead transmission line, and underground transmission line (if decommissioned)
- Remove O&M structure and storage containers
- Fill stormwater basin and remove associated infrastructure
- Remove access and internal roads, remove BESS yard, remove temporary BMPs, and grade site as required
- De-compact subsoils (if required), restore and revegetate disturbed land as required

2.0 PROJECT COMPONENTS AND DECOMMISSIONING ACTIVITIES

2.1 OVERVIEW OF BATTERY ENERGY STORAGE FACILITY SYSTEM

Laurel Creek Energy Storage II anticipates utilizing approximately 368 self-contained battery storage units at the beginning of the project increasing to a total of 496 units including augmentation with a total energy storage capability of up to 1,500 MWh. The Project area encompasses approximately 17.5 acres within the Laurel Creek Energy Storage II perimeter fencing. Statistics and estimates provided in this Plan are based on the Megapack 3 battery storage units manufactured by Tesla.

Electrical collection cabling will be installed below the surface at an approximate depth of 36 inches (three feet). All below ground electrical cabling, conduit and foundations will be removed. All above ground components of the facility will be removed during Project decommissioning. Public roads damaged or modified during the removal and reclamation process will be repaired and restored upon completion of the decommissioning phase.

Estimated quantities of materials to be removed and salvaged or disposed of are included in this section. Some of the materials described will have salvage value; although there are also some components that will likely have none at the time of decommissioning. All materials will be salvaged or recycled to the extent practicable. All other waste materials will be disposed of in accordance with state and federal law at a licensed solid waste facility. If decommissioned prior to the end of their useful life, the battery packs may have value in a resale market. Table 1 presents a summary of the primary components of the Project included in this decommissioning plan.

Table 1 Primary Components of BESS Facility to be Decommissioned

Component	Quantity	Unit of Measure
BESS units with integrated inverters	496	Each
Transformers	124	Each
Steel piles/posts (BESS units)	3,968	Each
Steel piles/posts (Transformers)	496	Each
Below ground electrical cabling	40,800	Lineal foot (estimated)
Perimeter fencing	4,200	Lineal foot (estimated)
Access road (excavation and removal)	1,200	Lineal foot (estimated)
BESS yard (aggregate base-fill)	17.5	Acres (estimated)
Project substation	1	Lump sum
Underground gen-tie line (if decommissioned)	1,000	Lineal foot (estimated)
Overhead gen-tie line (if decommissioned)	0.05	Lineal mile (estimated)
O&M structure and storage containers	1	Lump sum

Permanent stormwater basin	2.5 / (471,900)	Acres / (Cubic Feet)

2.2 BESS UNITS AND SUPPORT STRUCTURES

The Project includes 496 battery energy storage units, each with integrated inverters. The system will provide 375 $MW_{[AC]}$ of rated power capacity and up to 1,500 MWh of energy storage capacity. Statistics and estimates in this Plan are based on the Megapack 3 battery energy storage units manufactured by Tesla. Each battery unit will be placed on steel pile foundations. The units are mainly comprised of materials such as steel, copper, plastic, and epoxies. If decommissioned prior to the end of their useful life, the battery packs will likely have value in a resale market, depending on their condition.

At the time of decommissioning, the BESS and container units will be loaded on flatbed semi-trucks and completely removed from the Project site. The steel piles will be completely removed from the ground and disposed of off-site or recycled. Battery packs may have value for reuse if decommissioned during the early stages of Project operation (the first 10 to 15 years); however, the resale or salvage value is difficult to predict and will be dependent on the age of the batteries at that time. Recovery programs to extract valuable materials such as nickel, cobalt, copper, aluminum, steel, and lithium from the systems are expanding and improving at a rapid rate. Therefore, no battery recycling costs have been included in this cost estimate.

2.3 TRANSFORMERS

124 transformers will be located adjacent to the BESS container units mounted on steel piles. The transformers and associated equipment will be removed during decommissioning. Depending on condition, the transformers may be sold for refurbishment and re-use. If not re-used, they will be salvaged or disposed of at an approved solid waste management facility. All oils and lubricants will be collected and disposed of at a licensed facility. The steel piles will be completely removed from the ground and disposed of off-site or recycled.

2.4 ELECTRICAL CABLING AND CONDUITS

The Project's underground electrical collection system will be placed at a depth of 36 inches (three feet). The Plan assumes that all electrical cabling located below the ground surface will be removed and salvaged or disposed of in accordance with local, state, and federal law at a licensed solid waste facility.

2.5 BESS YARD, PERIMETER FENCING, AND ACCESS ROADS

The BESS site will be enclosed by an approximately 6-foot-tall, 4,200-foot-long chain link fence with barbed wire. The BESS yard contains crushed rock approximately 6 inches in depth. Near the end of the decommissioning process, the fence, poles, and foundations will be removed from the Project site.

Access drives will provide direct access to the BESS facility and be comprised of approximately 8-inch-thick gravel and compacted soil subgrade. The drives will provide access to the BESS area and associated structures. During installation of the Project site access roads, the native subgrade will be compacted, and

geogrid will be placed beneath the gravel for the length of the access road. This Plan assumes the removal of up to 8 inches of aggregate material over geogrid.

Decommissioning activities include the removal and stockpiling of aggregate materials onsite for salvage preparation. Underlying geogrid will also be removed during the decommissioning process. Geogrid that is easily separated from the aggregate during excavation will be disposed of in a licensed solid waste disposal facility. Geogrid that remains with the aggregate will be sorted out at the processing site and properly disposed of. Following removal of aggregate and geogrid, the disturbed areas will be graded, de-compacted, backfilled with native subsoil and topsoil, as needed, and restored as close as possible to its preconstruction condition.

2.6 STORMWATER BASIN

The current design includes one permanent stormwater detention basin within the footprint of the BESS facility that will remain in place for the life of the Project. The detention basin is approximately 2.5 acres in size, and although it may be retained at the end of the Project operational period, this report has conservatively assumed it will be removed. The basin will be filled with clean fill, finished with topsoil, and graded to restore as near as practical to pre-construction drainage patterns.

2.7 PROJECT SUBSTATION AND TRANSMISSION LINES

The Laurel Creek II Energy Storage site will include a Project substation, an overhead transmission line, and underground transmission line. The substation will be approximately 1 acre in size and contain within its perimeter a gravel pad, 2 power transformers and footings, an electrical control house and concrete foundations, as needed. An approximately 0.05-mile-long overhead transmission line and a 1,000 lineal foot underground transmission line will connect the project substation to a larger regional substation.

The substation transformers may be sold for re-use or salvage. Components of the substation that cannot be salvaged will be transported off-site for disposal at an approved waste management facility. Foundations and footings will be demolished and removed. The transmission tie-in lines and associated structures will also be removed from the site.

2.8 OPERATIONS AND MAINTENANCE STRUCTURE

The Project will utilize an O&M structure within the Project site. The structure will be a self-contained modular unit of steel container-type construction. The modular structure will be installed on a gravel pad with connections to electrical or other services, as needed. The structure will be in conformance with local and state building codes. Additionally, metal storage containers will be used on site for spare part storage. The structures will have resale value at the end of Project life and may be sold or ownership transferred at that time. To be conservative, decommissioning costs associated with the removal of the structures were included in this Plan.

3.0 LAND USE AND ENVIRONMENT

3.1 SOILS AND PREVIOUS LAND USE

The proposed BESS facility is located on land previously used for agricultural purposes. Land disturbed by Project facilities will be restored in such a way as to allow its original use as it existed prior to Project construction. Soils will be stabilized and the site vegetation and topography will be restored to prevent erosion and support a similar land use as existed prior to Project construction. Soils compacted during decommissioning will be de-compacted, as necessary.

3.2 RESTORATION AND REVEGETATION

Project areas that have been excavated and backfilled will be graded as previously described to restore land to a condition allowing support for a similar land use as existed prior to Project construction. Soils will be restored as described in Section 3.1 and in compliance with methods identified in the final site restoration plan including consideration of impacts on future site use, environmental and adjacent property impacts. Restoration will also be completed as required by landowner and regulatory commitments. Disturbed areas will be graded and reseeded with appropriate vegetation in coordination with the landowner(s).

3.3 SURFACE WATER DRAINAGE AND CONTROL

Surface water conditions at the Project site will be reassessed prior to the decommissioning phase. Laurel Creek will obtain the required water quality permits, if needed, before decommissioning of the Project. Construction stormwater permits will also be obtained, and an Erosion Control and Stormwater Management Plan will be prepared describing the protection needed to reflect conditions present at that time. Erosion Control BMPs may include: construction entrances, temporary seeding, permanent seeding, mulching (in non-agricultural areas), erosion control matting, silt fence, filter berms, and filter socks.

3.4 MAJOR EQUIPMENT REQUIRED FOR DECOMMISSIONING

The activities involved in decommissioning the Project include removal of the above and below-ground Project equipment and restoration as described in Sections 2 and 3.2.

Equipment required for the decommissioning activities is similar to what is needed to construct the BESS facility and may include, but is not limited to: small cranes, low ground pressure (LGP) track-mounted excavators, backhoes, LGP tracked bulldozers and dump trucks, front-end loaders, water trucks, disc plows and/or tractors, and ancillary equipment. Standard dump trucks may be used to transport material removed from the site to disposal facilities and to import clean fill and topsoil, if necessary.

4.0 DECOMMISSIONING SUMMARY

Expenses associated with decommissioning the Project will be dependent on labor costs at the time of decommissioning. For the purposes of this report, approximate 2026 average market values were used to estimate labor expenses. Fluctuation and inflation of labor costs were not factored into the estimate table.

4.1 DECOMMISSIONING EXPENSES

Project decommissioning will incur costs associated with removal of facilities and disposal of components not recycled or sold for salvage, including materials which will be disposed of at a licensed facility, as required. Decommissioning costs also include backfilling, grading and restoration of the proposed Project site as described in Sections 2 and 3. Table 2 summarizes the estimated costs for activities associated with decommissioning the Project.

Table 2 Estimated Decommissioning Expenses

Activity	Unit	Quantity	Cost per Unit	Total
Overhead and management	Lump Sum	1	$424,400	$424,400
Battery pack and container removal	Each	496	$4,950	$2,455,200
Transformers	Each	124	$1,440	$178,560
Steel piles/posts (BESS units and inverters)	Each	3,968	$54.90	$217,843
Steel piles/posts (Transformers)	Each	496	$54.90	$27,230
Perimeter fence removal	Lineal Foot	4,200	$4.70	$19,740
Below ground electrical cable	Lineal Foot	40,800	$0.95	$38,760
Access road; excavation and removal (to include BESS yard removal)	Lump Sum	1	$186,100	$186,100
Topsoil; replacement and rehabilitation of site	Lump Sum	1	$435,050	$435,050
Stormwater basin removal	Each	1	$230,950	$230,950
O&M structures	Each	3	$6,000	$18,000
Substation (net removal cost)	Lump Sum	1	$420,000	$420,000

Overhead Transmission Line	Lineal Mile	0.05	$275,000	$13,750
Underground Transmission Line	Lineal Foot	1,000	$2.45	$2,450
Total Estimated Cost for Removal BESS Facilities and Site Restoration				**$4,668,033**

4.2 DECOMMISSIONING REVENUES

Battery energy storage systems will retain a significant resale value during the early phases of their life cycle. During the first 10 years of the Project, BESS units, or the individual battery cells, could be sold for re-use or returned to the manufacturer for recycling. It is estimated that the battery units' value during the first ten years of the Project life would offset (or exceed) the cost of preparation and shipping. Although additional revenue due to resale may be generated during this stage of the Project, these revenues are not reflected in Table 3. During later stages of the Project, the value of the battery components, such as lithium, copper, aluminum, and steel, would be extracted during recycling to provide an offset to the disposal costs. No revenue from decommissioning the Project has been considered in this Plan.

4.3 DECOMMISSIONING COST SUMMARY

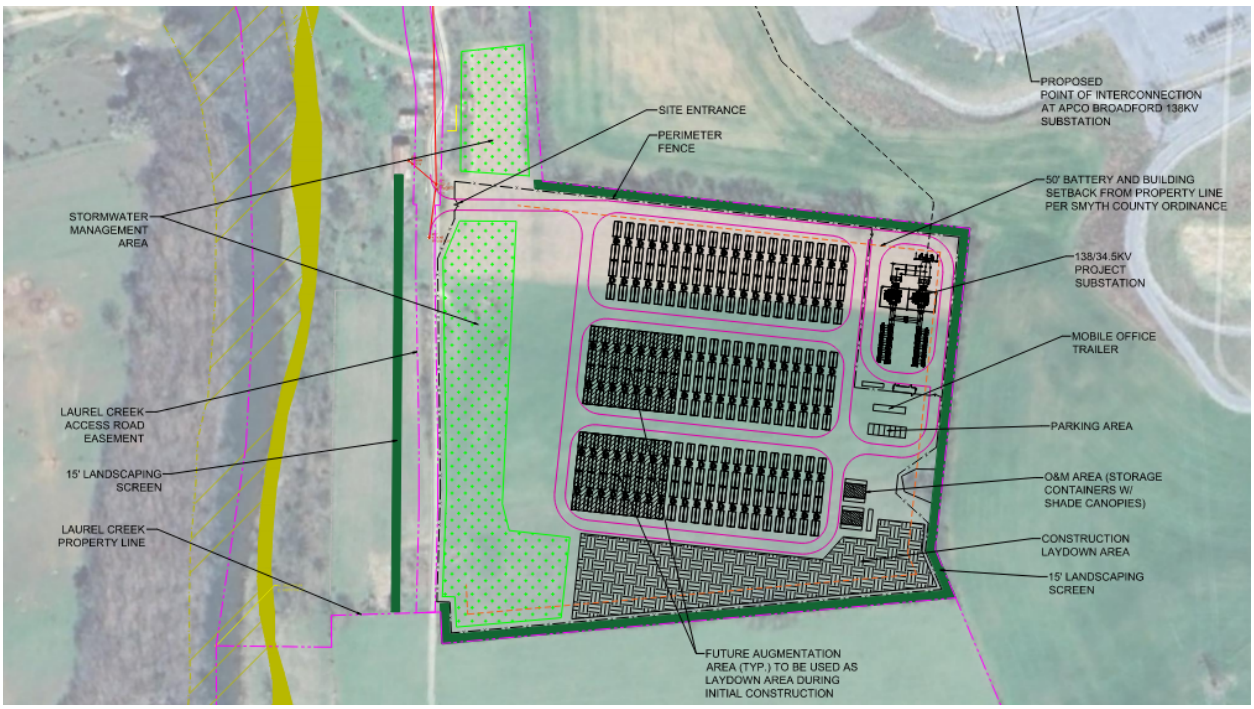
Table 3 provides a summary of the estimated cost to decommission the Project, using the information detailed in Sections 4.1. Estimates are based on 2026 prices, with no resale or salvage revenue, market fluctuations or inflation considered.

Laurel Creek Energy Storage II is committed to re-assessing the decommissioning costs every five years beginning on the fifth anniversary of Project commissioning.

Table 3 Decommissioning Cost Summary

Description	Cost
Total Decommissioning Expenses for Facility Removal and Restoration	**$4,668,033**

Figure 1 Proposed Project Layout



Project layout shown above may differ from the final version. Please refer to the Special Use Permit site plan included with SUP application for the latest version of the project layout.

Laurel Creek II Project

EMERGENCY RESPONSE PLAN

Preliminary Draft | August 2026

DRAFT

Summary

This document serves as the Emergency Response Plan (ERP) for the Laurel Creek II Project Battery Energy Storage System (BESS) located within Smyth County, Virginia.

This ERP provides information and instructions to guide first responders in preparing for and safely responding to an incident, fire, or other emergency associated with the Laurel Creek II Project.

LIFE SAFETY SHALL BE THE HIGHEST PRIORITY DURING ANY TYPE OF EVENT

Prepared For:

Laurel Creek Energy Storage II, LLC
1780 Hughes Landing Blvd., Suite 675
The Woodlands, TX 77380

Energy Storage Response Group, LLC
dba Energy Safety Response Group
P.O. Box 12639
Columbus, OH 43212

www.energyresponsegroup.com
1-833-SAFE-ESS

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DRAFT

EMERGENCY CONTACT INFORMATION

IN CASE OF EMERGENCY CALL 911

LOCAL FIRE DEPARTMENT

Saltville Volunteer Fire Department

Phone: **(276) 496 – 7113 (Non-Emergency)**

Address: 312 Palmer Avenue
Saltville, VA 24370

LOCAL POLICE DEPARTMENT

Saltville Police Department

Phone: **(276) 496 – 4321 (Non-Emergency)**

Address: 217 Palmer Avenue
Saltville, VA 24370

LOCAL BURN CENTER

Wake Forest Baptist Medical Center Burn Center

Phone: **(336) 716 – 4775 (Non-Emergency)**

Address: 1 Medical Center Boulevard
Winston-Salem, NC 27157

LOCAL HOSPITAL

Smyth County Community Hospital

Phone: **(276) 378 – 1000 (Non-Emergency)**

Address: 245 Medical Park Drive
Marion, VA 24345

PROPERTY OWNER

XXXXXXXXXXXXXXXXXXXX

Phone: (XXX) XXX - XXXX

Address:

SYSTEM OWNER / OPERATOR

XXXX (Non-Emergency)

Phone: **### ### ####**

Address:

TESLA OPERATIONS CENTER (24/7)

Tesla Hotline (FOR EMERGENCY USE)

Phone: **(650) 681 - 6060**

Address: 13101 Tesla Road
Austin, TX 78725

SUBJECT MATTER EXPERT

TO BE DETERMINED

Phone: **(###) ### ####**

Address:

CENTRAL STATION

TO BE DETERMINED

Phone: **(###) ###-#####**

Address:

BESS MANUFACTURER

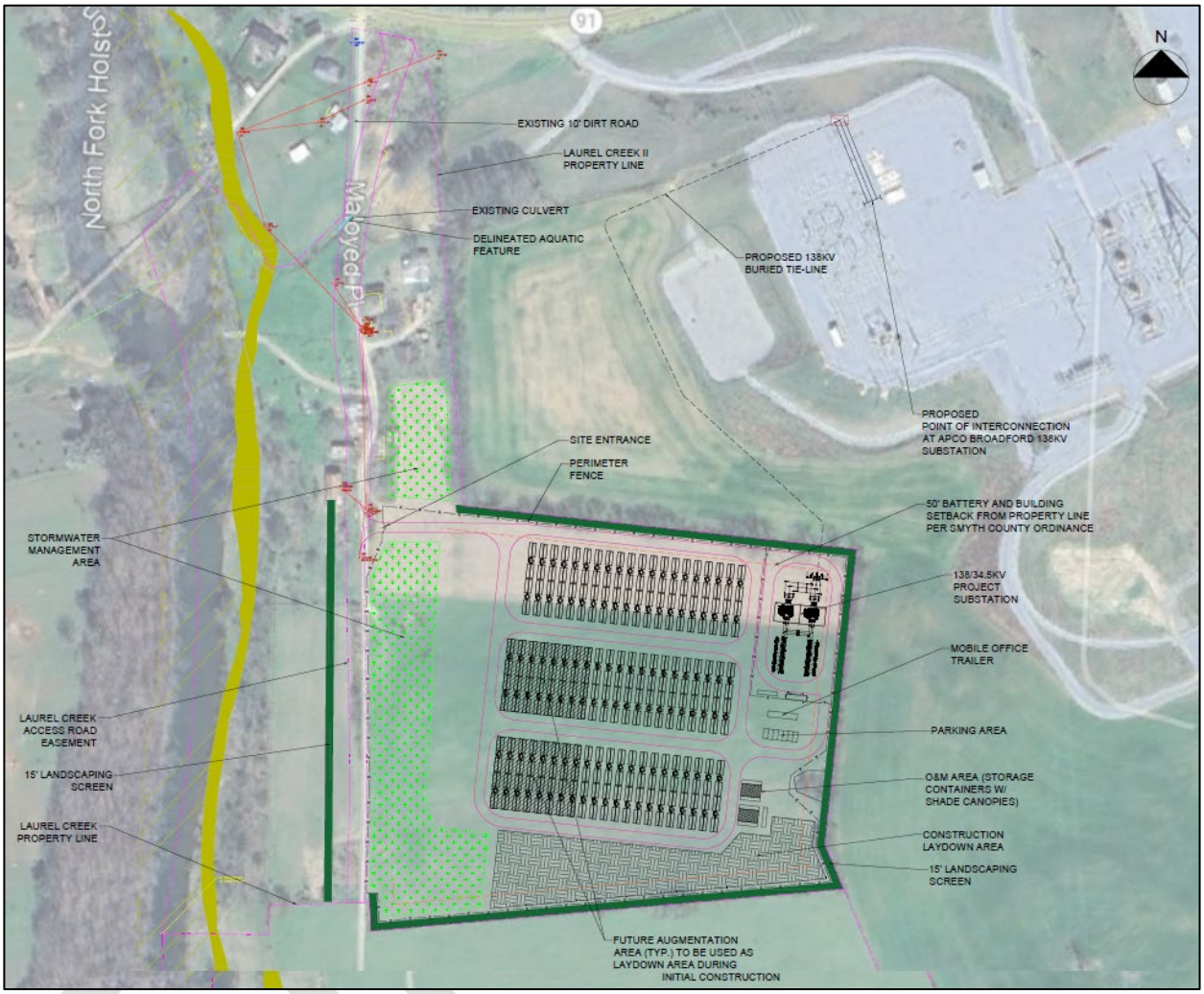
Tesla Headquarters (Not for Emergency Use)

Phone: **(512) 516 - 8177**

Address: 13101 Tesla Road
Austin, TX 78725

ENERGY STORAGE SYSTEM INFORMATION

LAUREL CREEK II PROJECT



ENERGY STORAGE SYSTEM

Make / Model: Tesla Megapack 3 / Megablock

Total MW / MWh: 375 MW / 1500 MWh

kW / kWh per Unit: 1,206 kW / 4,826 kWh

 # Units: 496 Megapacks / 124 Megablocks

EXPLOSION PROTECTION

Each BESS enclosure is equipped with a three-layer explosion control system (Sparkers, overpressure vents, and automated door opening) that provides controlled ignition and defined pressure-relief pathways during a potential deflagration event.

FIRE DETECTION SYSTEM

The Megapack 3 uses internal temperature sensors monitored by the BMS, and when an over-temperature condition is identified, the safety controller activates external audible and visual alarms and sends automated notifications. [EXTERNAL UV/IR DETECTION?]

WATER SUPPLY

TBD.

PROJECT INFORMATION

Project Name	Laurel Creek II **Emergency Response Plan**
Project No.	26-20555
Prepared For	**Laurel Creek Energy Storage II, LLC** 1780 Hughes Landing Blvd., Suite 675 The Woodlands, TX 77380
Revision No.	Preliminary Draft
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REVISION HISTORY

Revision No.	Date of Issue	Substance of Change
Rev 0	8/26/2026	Preliminary Draft issue - GB

Note 1: *The information in this document is subject to change while in DRAFT status and may be subject to change in the event of modifications to equipment or other factors affecting the design of the system or overall installation.*

Note 2: *During the operating life span of the project, it is expected that this document shall be reviewed annually, and that all pertinent information shall be appropriately updated as necessary. This ERP is compiled based on the current design and usage at the time of this writing.*

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Energy Storage Response Group (ESRG) is providing an interim draft of this document based on an "as-designed" system. This document should not be provided externally until agreed upon by all responsible parties.

Upon acceptance of this "as-designed" interim draft, which may be made public as an "as designed release," ESRG shall treat this document as ready for release but shall not mark the document as "as-built final" until ESRG can confirm, via personnel on site, that the system, "as-built" aligns with the reviewed and reported design. The industry, related technology, and best practices are rapidly evolving and changing regularly. It has been observed that changes often occur to a project through the construction phase, be they to the battery itself or to the balance of system. As such, an "as-designed release" document should be considered final only if no changes are made to the system from design to construction to completion. If it is 100% accurate, it will be released unchanged. However, should ESRG encounter deviations from the design, the document will be amended accordingly per the design changes and then released as a final document.

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ACRONYMS

AR	Arc-Rated
BMS	Battery Management System
COD	Commercial Operations Date
E-Stop / EPO	Emergency Stop / Emergency Power Off
ERP	Emergency Response Plan
EMS / ESMS	Energy Management System / Energy Storage Management System
ERG	Emergency Response Guide (generic, product-level emergency response guide)
ESRG	Energy Safety Response Group
ESS / BESS	Energy Storage System / Battery Energy Storage System
FACP	Fire Alarm Control Panel
FCC	Fire Command Center
FDC	Fire Department Connection
IC	Incident Commander
ICP	Incident Command Post
ICS	Incident Command System
kW	Kilowatt(s)
kWh	Kilowatt-hour(s)
LFL / LEL	Lower Flammability Limit / Lower Explosive Limit
LFP	Lithium Iron Phosphate
LOCA	Letter of Conditional Acceptance
MW	Megawatt(s)
MWh	Megawatt-hour(s)
O&M	Operations and Maintenance
PCS	Power Conversion System
PPE	Personal Protective Equipment
SCBA	Self-Contained Breathing Apparatus
SDS	Safety Data Sheet

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SME	Subject Matter Expert
SOC	State of Charge
UC	Unified Command
UFL / UEL	Upper Flammability Limit / Upper Explosive Limit

ROLES AND RESPONSIBILITIES

Site Owner	The owner of the premises upon which the battery system is installed.
Site Operator	The entity responsible for site operations.
Incident Commander (IC)	The person responsible for the overall management of the incident and determines which Command or General Staff positions to staff in order to maintain a manageable span of control and ensure appropriate attention to the necessary incident management functions.
Subject Matter Expert (SME)	A person appointed by the site owner or operator to respond to the Fire Department's technical requests or questions about the battery system.
Remote Monitoring Facility / Operations Center	Facility providing 24/7 remote monitoring of the battery Energy Storage Management System (ESMS),and provides notification to the System Owner and battery manufacturer.
Central Station	A listed supervising station that provides 24/7 monitoring of the fire alarm system, receives alarm, supervisory, and trouble signals, and provides notification to the appropriate emergency responders in accordance with the approved monitoring and emergency response procedures.

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1 INTRODUCTION

1.1 Scope and Purpose

This Emergency Response Plan (ERP) is provided for the Laurel Creek II Battery Energy Storage System (BESS) facility to be located in Smyth County, Virginia. The purpose of this document is to provide guidance and pertinent information regarding the roles, responsibilities, and chain of communication and command for the System Owner / Operator, Property Owner, and other required Subject Matter Experts (SMEs) to prepare for, and safely respond to, a fire, explosion, or other battery-related incident requiring a public safety response at the energy storage facility.

On-site personnel include [Insert Representatives] on-site during construction. After COD, the project will be handed over to the [Insert Personnel/Position]. "On-site personnel" include all individuals on the facility property who are direct employees of the Owner / Operator or affiliated contractors. The Owner / Operator and contractors are similarly responsible for establishing and maintaining contractor-specific Emergency Response Plans and reporting procedures that will work in conjunction with the overall energy storage facility plan.

Life safety shall be the highest priority during any type of event.

1.2 Timeframe

This Emergency Response Plan covers the timeframe beginning at final approval by the local permitting Fire Department to the finalization of decommissioning and removal of the energy storage system.

1.3 Activation

This Emergency Response Plan shall be activated during any emergency response to a battery-related incident on site.

1.4 Agency Jurisdiction

This plan has been strictly developed for the responding fire department(s) and does not cover multi-agency response.

1.5 Incident Command System (ICS)

The Subject Matter Expert shall integrate into the Incident Command System (ICS) for an emergency.

The SMEs, Remote Monitoring Facility staff, and all energy storage system-related personnel shall comply with the orders of the Incident Commander (IC) and the Command Staff.

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1.6 Operations and Maintenance (O&M)

Normal O&M procedures for the energy storage facility and associated equipment are outside the scope of this document. This ERP, however, is applicable to this facility during construction, commissioning, and throughout the project's lifespan.

Please refer to the manufacturer's Operations and Maintenance manuals for all associated equipment related to the site prior to beginning any work on this installation.

1.7 ERP Update Process

1.7.1 Issuance and Revisions

Dates for draft issuance, revisions, and final issuance of this ERP are provided on page 5 of this document.

1.7.2 Updates and Document Maintenance

Updates to this ERP based on any major material changes to the installation are the responsibility of the System Owner / Operator and any other relevant entities. All revisions to this ERP shall be recorded in alignment with Section 1.7.1 above.

1.7.3 Annual Review

During the operating lifespan of this installation, it is expected that this document shall be reviewed annually, with all pertinent information updated as required. A log of regularly scheduled annual reviews is provided in Appendix C of this document.

1.7.4 Plan Retirement

All decommissioning procedures should be performed by trained and knowledgeable persons in alignment with the Decommissioning Plan provided for this installation. Decommissioning shall be performed under the supervision of the System Owner / Operator responsible for this installation.

Notification of decommissioning shall be provided to the Fire Department by the System Owner / Operator and/or Subject Matter Expert responsible for this installation.

1.8 Fire Department Training

Training shall be organized in coordination with the local fire department(s) and provided on at least an annual basis. Training material shall include, at a minimum, familiarization of project equipment and site configuration details, established emergency procedures, and incident response scenario best practices; as well as any information as required by the fire department. A training log is provided in Appendix D.

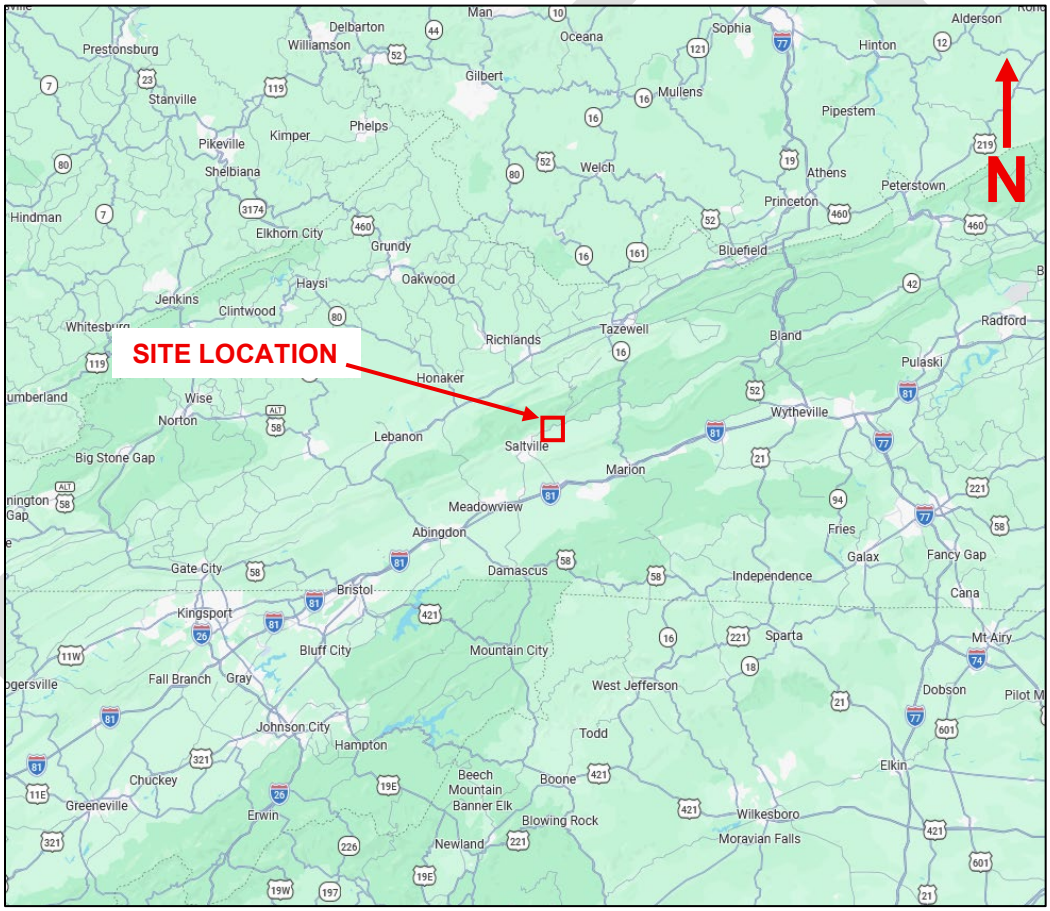
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2 SITE DESCRIPTION

2.1 Site Location

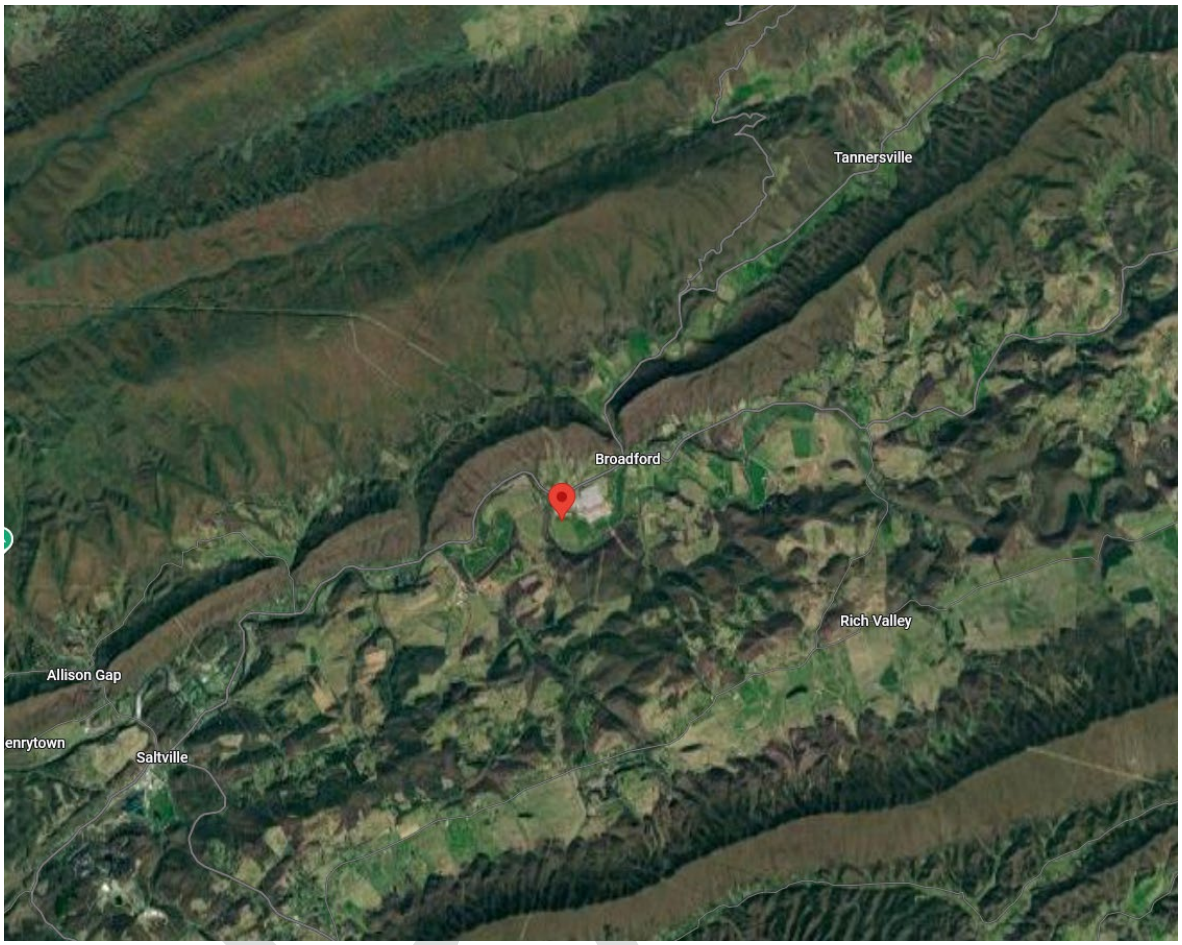
The Laurel Creek II facility will be located on a 20-acre parcel of land with the address TBD, Saltville, VA. (Figure 1). The facility will be located beside the existing Broadford substation. Access to the facility is provided via entry gates opening onto Maloyed Place to the west. The double-swing entrance gates will open to provide a XX ft. wide clear opening and will serve as a fire apparatus accessible entrance. The Tesla Megablocks will be arranged in three large groups, with facility access roads surrounding them. The site will be bounded along all exposures by a XX' tall security chain-link fence, topped with 1' of barbed wire. The 138/34.5kV project substation will be located beside the BESS yard and will be independently bounded by a security chain-link fence.

Figure 1 – Site Location



SITE INFORMATION	
Site Address: TBD, Saltville, VA	
GPS Coordinates: 36°55'4.59" N 81°41'6.63" W	**Special Flood Zone:** No

Figure 2 - Vicinity Map



2.2 Fire Department Access and Staging Area

The responding fire department(s) should begin staging at least 100 ft. from the facility until an assessment of incident severity demonstrates that such a separation distance can be reduced. If there is no visible flaming or smoking, responding units may proceed to the predetermined Fire Department Staging Area within the site boundary.

Fire department access into the Laurel Creek II facility is provided via Knox Box, located at the FCC, beside the Maloyed Place entrance gate (Figure 3).

Figure 3 – FD Facility Access / Knox Box



The Fire Department Staging Area is located at the Fire Command Center (FCC),XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX. (Figure 4). It is recommended that Fire Department Staging Areas be established at angles relative to the sides of the BESS enclosures (corners as opposed to faces), to reduce potential impact from flying projectiles or debris in the event of an explosion.

A secondary Fire Department Staging Area may be determined by the Incident Commander during a fire event if the prevailing winds and smoke negatively impact the location of the primary staging area.

The Fire Department should not attempt to approach the BESS enclosures unless there is a clear threat to life safety.

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Figure 4 – Fire Department Staging Area



2.3 Site Security Perimeter

The site is bounded by security chain-link fencing with a gated entrance. The primary entrance is the main entrance gate, directly from Maloyed Place. As noted above, the fire department should not attempt to approach the BESS enclosures unless there is a clear threat to life safety.

2.4 Emergency Response Plan Access

Physical copies of the Emergency Response Plan (ERP), operational permits, O&M logs, product manuals, etc., will be provided to the fire department. Additional copies will be provided on site in a weatherproof enclosure at the Fire Command Center (FCC).

2.5 Equipment Access

The Tesla Megapack 3 enclosures are only accessible for maintenance purposes via cabinet-style enclosure doors and cannot be physically entered by personnel at any time.

The Fire Department should not attempt to open the enclosure doors at any time.

2.6 Fire Department Water Supply

- **Primary –** Apparatus
- **Secondary –** TBD

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2.7 Nearby Exposures

The site is currently open land, and the surrounding area is rural.

- The closest part of the Broadford substation (to the northeast) is approximately XXX' from the nearest BESS enclosure.
- To the northwest is a private residence (3447 Maloyed Place) that is approximately XXX' from the nearest BESS enclosure.
- To the west is the North Fork Holston River, which is approximately XXX' from the nearest BESS enclosure.

The Tesla Megapack 3 BESS enclosures will be sited outdoors at grade level, and the separation distances between enclosures within the secured facility meet or exceed the manufacturer's recommended separation distances. There are no other exposures or structures within 500 ft of any BESS enclosure.

2.7.1 First Responder Staging Area

The First Responder Staging Area is located at the Fire Command Center (FCC), in the vicinity of the main entrance gate, at least 100 ft from the nearest BESS enclosure. A secondary Fire Department Staging Area may be determined by the Incident Commander during a fire event if the prevailing winds and smoke negatively impact the location of the primary staging area.

2.8 Site Maintenance

The facility's interior access roads shall be maintained to guarantee accessibility to the site for emergency personnel, especially during inclement weather. The System Owner / Operator shall ensure that applicable, ongoing upkeep activities are in place prior to construction (e.g., snow removal, landscaping, etc.).

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3 ENERGY STORAGE SYSTEM

The Tesla Megapack 3 is a modular, fully integrated, AC-coupled battery energy storage system (BESS). Each enclosure provides approximately 1,206 kW of power and 4,826 kWh of energy capacity. The unit includes six battery module bays, a dedicated thermal bay, and bus assemblies that interface with a medium-voltage (MV) transformer. Battery modules are factory-installed and contain prismatic lithium iron phosphate (LFP) cells, with each bay housing up to two modules. Each battery module incorporates an integrated inverter module for power conversion. The thermal system supplies active heating and cooling to maintain appropriate operating conditions for internal components.

Each Megapack 3 is also equipped with a three-layer explosion control system that uses internal sparkers, engineered overpressure vents, and automated door opening to reduce the likelihood of enclosure failure during a deflagration event.

The Megapack 3 is utilized as a component of the new pre-engineered Megablock System (at least two Megapacks to a block) along with an MV transformer and MV switchgear, an evolution of the fully integrated (AC) BESS assembly for grid deployment at scale. The Laurel Creek II project utilizes 124 Megablock Systems, each comprised of four Megapacks.

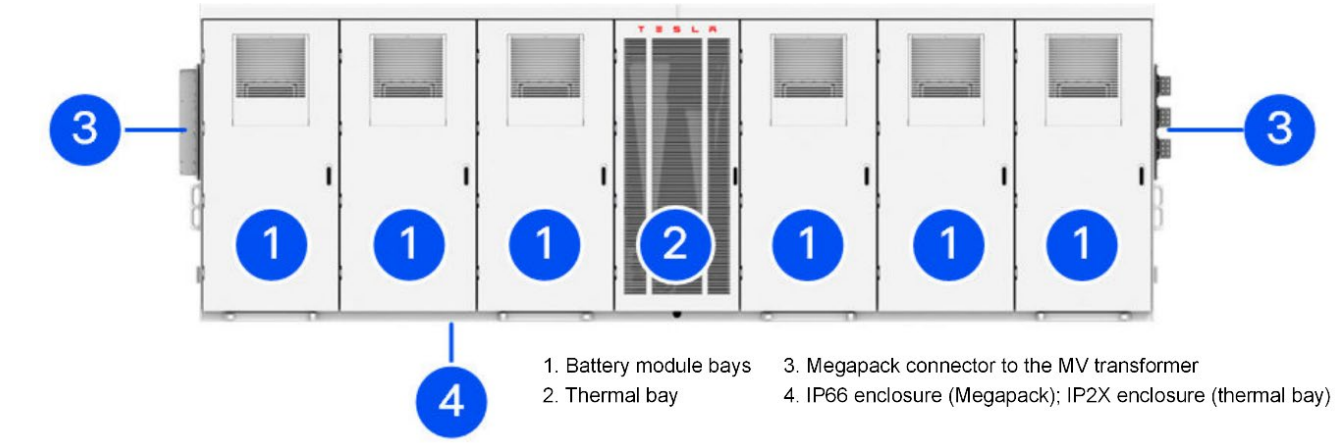
The Megapack 3 and Megablock layout diagrams are shown in Figures 5 & 6. Additional information on these systems is provided in Sections 4 and 5.

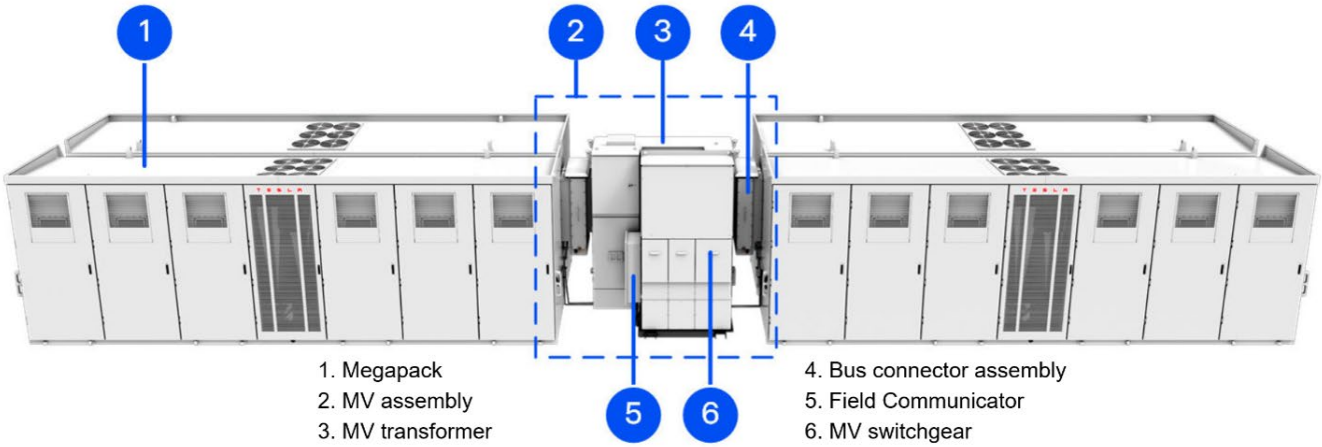
Figure 5 – Typical Tesla Megapack 3 BESS enclosure

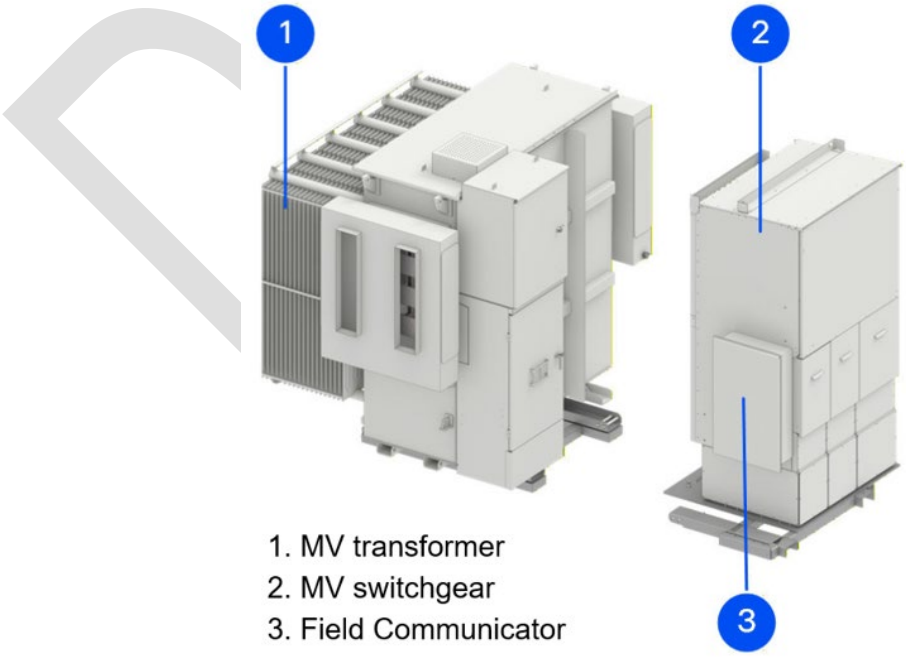


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Figure 6 – Megapack 3 and Megablock layout







4 FIRE PROTECTION FEATURES

4.1 Explosion Protection

Each Tesla Megapack 3 BESS incorporates a multi-layer explosion control system designed to limit the potential for structural enclosure failure in the event of a deflagration. The system employs three independent protective mechanisms: a Sparker system, overpressure venting, and automated door opening.

Sparker System

The enclosure includes a proactive ignition system that uses spark plugs ("Sparkers") to intentionally ignite flammable gases released from compromised battery cells before those gases can accumulate to hazardous concentrations that could lead to an explosion. By initiating controlled ignition at low gas volumes, the system reduces the likelihood of an uncontrolled explosion within the enclosure.

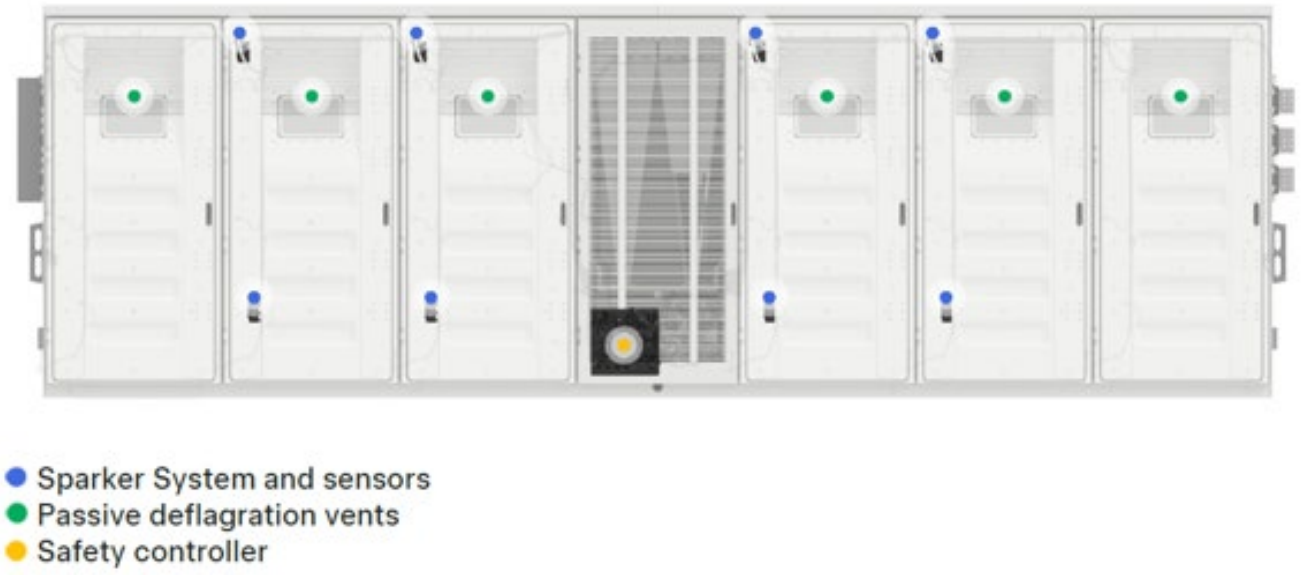
Overpressure Vents

Each battery bay is equipped with vents engineered to open when a rapid pressure rise occurs, such as the ignition of accumulated gases by the Sparker system. Once activated, these vents provide a defined exhaust pathway, directing gases, combustion products, and flame upward into the thermal roof. The thermal roof then channels this exhaust to the roof vents, allowing pressure relief in a controlled and predictable manner.

Automated Door Opening

If hazardous interior conditions are detected, the enclosure doors will automatically open. This action is intended to shorten the duration of a thermal event and provide additional relief pathways for deflagration pressures, further reducing the likelihood of enclosure damage.

Figure 7 - Megapack 3 Deflagration Mitigation features



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WARNING: Risk of Re-ignition	
	Do **NOT** assume the fire is out as the fire event unfolds. A lithium-ion battery fire, which has seemingly been extinguished, may flare up again if all cells within the enclosure have not been completely consumed. The risk of battery re-ignition can remain present for hours or even days after the smoke/flame is initially detected.
WARNING: Risk of Explosion / Deflagration	
	An explosion/deflagration/overpressure event is a critical hazard, and any emergency on site should always be addressed with full awareness of potential factors that may lead to such an event. **Any failure or alarm condition should result in the assumption of an explosion risk.**

WARNING: Electrical Shock Hazard	
	In case of flooding, stay out of the water if any part of the Megapack 3 enclosure(s) or wiring is submerged.

4.2 Emergency Shutoffs

In the event of an emergency on-site, E-Stops are provided at multiple levels. A system shutdown will result in electrical isolation of the battery strings and cessation of battery charging or discharging. A system shutdown will not de-energize the battery bank, nor will it guarantee that a fault or thermal runaway event has been stopped.

The fire department should not engage with E-Stops, as an ESS shutdown may adversely affect the electrical grid. Any interaction with E-Stops should only be initiated in coordination with the System Owner / Operator and other SMEs, as deemed necessary.

4.2.1 Automatic E-Stop

Automatic shutdown is provided at different levels for the Tesla Megapack battery modules, depending on the type of failure:

- For major faults within battery module(s) – such as overtemperature, overcharge, or ground fault – the faulted module(s) will be isolated by DC-DC converters, disconnects, and/or DC fuses, and an alarm will be generated. This may not result in a complete shutdown of the system.
- If a large propagating thermal runaway occurs, the faulted Megapack is isolated by opening its AC contactors, and over-temperature loss faults will be sent to the service team.

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4.2.2 Site-Level E-Stop

A site-level Emergency Stop (E-Stop)…

The fire department should not engage with E-Stops, as an ESS shutdown may adversely affect the electrical grid. Any interaction with E-Stops should only be initiated in coordination with the System Owner / Operator and other SMEs, as deemed necessary.

4.2.3 Enclosure-Level E-Stop

Use of the enclosure-level E-Stop should only be initiated by the System Owner/Operator or other SME.

Each Megablock is equipped with an AC circuit breaker located within the MV switchgear and is to be used only by authorized maintenance or operations personnel.

In the event of a battery-related failure, the fire department should not approach any battery enclosures or engage with any enclosure E-Stops.

CAUTION: Risk of Stranded Energy	
	Shutting off power to the Megapack 3 enclosure(s) does not de-energize the battery, and a shock hazard may still be present. Always treat the batteries as Energetic Hazardous Materials, as they may maintain their State of Charge (SOC) long after the removal of power to the overall ESS.

WARNING: Risk of Fire and Explosion	
 	Risk of fire or explosion may be present in the event of a battery failure. The fire department should not attempt to engage with any site or enclosure E-stops. Assistance in shutdown should be provided by the System Owner / Operator and any other required SMEs.

WARNING: Electrical Shock Hazard	
	In case of flooding, stay out of the water if any part of the Megapack 3 enclosure(s) or wiring is submerged.

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4.3 Battery Management System (BMS)

An integrated Battery Management System (BMS) monitors key data points such as voltage, current, and state of charge (SOC) of battery cells, in addition to providing control of corrective and protective actions in response to any abnormal conditions. Each battery module is equipped with a dedicated BMS, with a Megapack-level bus controller supervising the output of all modules at the AC bus level. In the event of any abnormal conditions, the BMS will generally first raise an informational warning, and then trigger a corresponding corrective action should certain levels be reached. Critical BMS sensing parameters include:

- Over/under temperature limits
- Over/under voltage limits
- Over/under current limits
- Communications loss

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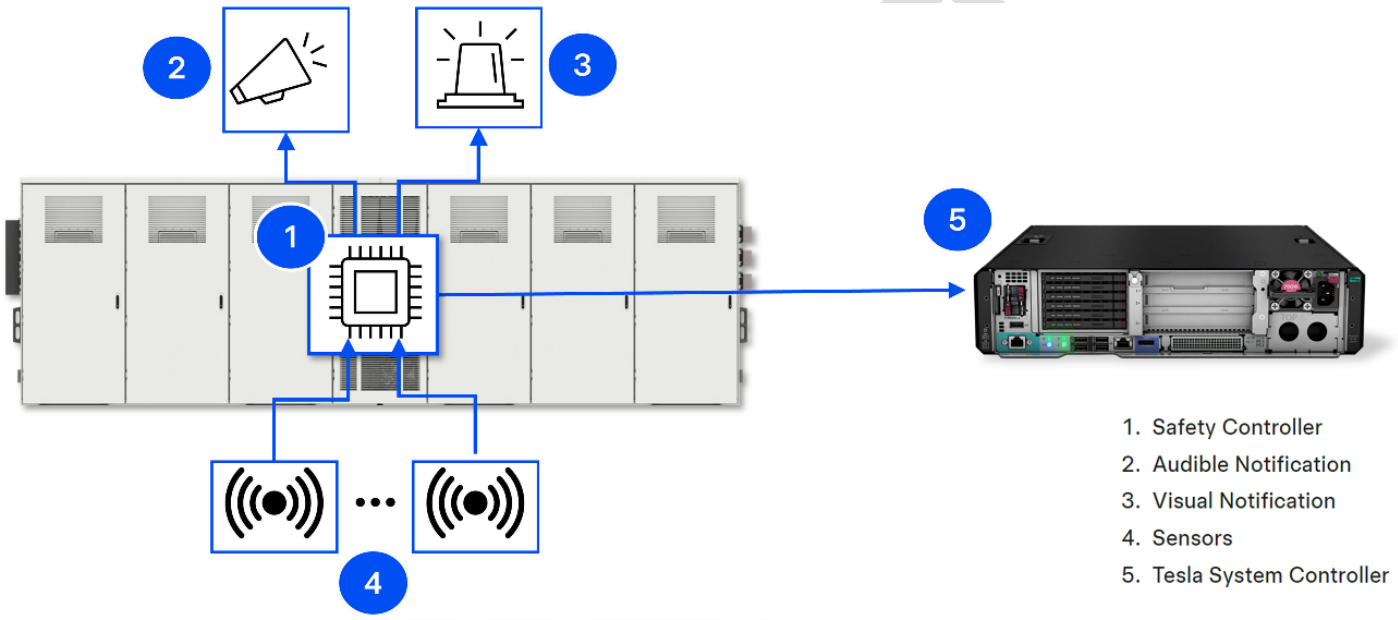
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5 FIRE DETECTION, ALARMING, AND NOTIFICATION

5.1 Fire Detection and Alarm

The Megapack 3 utilizes internal temperature sensors continuously monitored by the BMS. When an over-temperature condition is identified, the safety controller initiates external notification through an audible alarm and flashing lights and communicates the associated alarms to the Tesla Operations Center and the System Owner. [WILL THERE BE EXTERNAL UV/IR DETECTION?].

Figure 8 - Megapack 3 Safety Controller diagram



5.2 Central Station Monitoring

Specify if any site/facility monitoring will be provided via the central station.

Table 1 – Central Station Monitoring Facility Information

Central Station Monitoring Information
▪ **To Be Finalized**

5.3 Tesla Operations Center

Remote monitoring of BMS operation is provided by the 24/7 Tesla Operations Center. In the event of a battery-related failure transmitted by the BMS, alarm notifications and other pertinent information on the state of the ESS shall be sent to the System Owner to inform potential emergency response procedures, as needed. BMS data may also be made available locally for a subject matter expert (SME).

Table 2 – Remote Operations Center Information

Tesla 24/7 Operations Center (for Emergency Use)
▪ **24/7 Emergency Contact:** +1 (650) 681-6060 ▪ **Email Support:** IndustrialStorageSupport@tesla.com

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6 HAZARDS ASSOCIATED WITH LI-ION BATTERY ESS

Lithium-ion battery failures pose several major risks, as are briefly described in the sections below. Specific response procedures for different incident scenarios are provided in Section 8 of this document.

6.1 Thermal Runaway

The defining characteristic of lithium-ion battery failures is an event known as thermal runaway. Thermal runaway is a chemical process where self-heating in a battery exceeds the rate of cooling, causing high internal temperatures, melting, off-gassing/venting, and in some cases, fire or explosion. Thermal runaway can be caused by thermal, mechanical, and electrical abuse; an internal short circuit from manufacturing defects; or the development of metallic dendrites over time that form an internal short circuit.

Flammable and potentially explosive gases – generally white in color – typically evolve when a BESS goes into thermal runaway and may be released in large quantities from battery cells or modules. Fire and explosive incidents may result, and precautions described in the following sections should be observed.

6.2 Fire and Re-ignition

Lithium-ion battery fires burn extremely hot (upwards of 1,000 – 1,500°C) and are generally not easily extinguished. Fire growth may be slow, fast, or ultra-fast (e.g., during a deflagration event) in nature, and may last for several hours before the battery modules are completely consumed. Furthermore, even when a lithium-ion battery fire appears to be fully extinguished, the risk of re-ignition may still be present hours or even days after there are no visible signs of fire.

Application of water directly to affected battery modules is not recommended and may potentially prolong the incident. In the event of a non-battery-related fire or incipient fire, the decision to apply water should be made in coordination with the System Owner / Operator and any other required SMEs.

NOTICE	
	Indicators which may provide insight into what is happening or about to happen during an incident may include: ▪ Smoke or flames ▪ Changes in smoke color ▪ Changes in velocity or volume of smoke production ▪ Sounds – popping and/or hissing ▪ Smell – sweet odor

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WARNING: Risk of Re-ignition	
	Do **NOT** assume the fire is out as the fire event unfolds. A lithium-ion battery fire, which has seemingly been extinguished, may flare up again if all cells within the enclosure have not been completely consumed. The risk of battery re-ignition can remain present for hours or even days after the smoke/flame is initially detected.

6.3 Explosion

Lithium-ion batteries release flammable off-gases during thermal runaway, which, if allowed to accumulate within the enclosure, may create an explosive atmosphere, posing a serious risk to first responders and nearby exposures. These gases may accumulate within the BESS enclosure at levels above the Lower Explosive Limit (LEL). At sufficiently high accumulations, gases can also exceed their Upper Explosive Limit (UEL), at which point ventilation may bring the environment back into flammable limits, creating a new explosion risk.

It may be difficult to discern conditions within the enclosure if smoke and gas are not visible outside of the enclosure. Furthermore, a single battery cell may release enough flammable off-gas to generate an explosive atmosphere within the enclosure. Therefore, any failure or alarm condition should always result in the assumption of a potential explosion risk.

WARNING: Risk of Explosion / Deflagration	
	An explosion/deflagration/overpressure event is a critical hazard, and any emergency on site should always be addressed with full awareness of potential factors that may lead to such an event. **Any failure or alarm condition should result in the assumption of an explosion risk.**

6.4 Electric Shock

Even if a battery may look to be destroyed by fire and/or other means, there is potential that the battery still contains stranded energy and remains energized. De-energization of the system or any removal of the battery or battery components shall only be performed by a trained and competent individual with appropriate PPE.

Normal overhaul of the BESS enclosure should **NOT** be attempted by the fire department under any circumstances, as there are considerations for handling damaged batteries requiring equipment and expertise not readily available. Once the scene is secured, these actions may be undertaken by trained experts under close supervision.

WARNING: Risk of Stranded Energy	
	Always treat the batteries as **Energetic Hazardous Materials**, as stranded energy is likely to remain present. Traditional fire department overhaul should **NOT** be conducted due to the potential for stranded energy.

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6.5 Arc Flash

All BESS components and related electrical equipment shall always be treated as energized (Energetic Hazardous Material).

Appropriate PPE and training are required when working or accessing equipment within an Arc Flash Boundary. In general, when in direct proximity to the battery enclosure, wear a non-melting or untreated natural fiber long-sleeve shirt, long pants, safety glasses, hearing protection, and leather gloves. AR plant clothing is also acceptable. Maintain the Arc Flash Boundary until completion of any particular task.

6.6 Toxic Smoke and Gas Emission

Lithium-ion batteries may release large quantities of flammable and toxic gas when undergoing failure and pose an inhalation hazard. Materials and chemicals consumed during a thermal runaway event will produce copious amounts of smoke.

The BESS site perimeter should not be entered during a fire or off-gassing event unless there is an imminent threat to life safety, at which time only properly trained and equipped public safety personnel may enter. This entry shall be with full firefighter protective gear, including a self-contained breathing apparatus (SCBA).

A fog pattern from a handline or monitor nozzle may be an effective way to control the off-gassing event on the exterior of the battery container from migrating to unwanted areas. However, if water is used in extinguishing flames, these gases can become acids, which may cause skin irritation.

WARNING: Toxic Gases	
	Large quantities of toxic smoke and gas may be emitted from the BESS enclosure(s) during battery off-gassing or fire situations. **Proper PPE, including SCBA, should be worn by first responders.**

NOTICE	
	Typical composition of a battery off-gassing event may include: ▪ High concentrations (>10%) of Hydrogen, Carbon Monoxide, and Carbon Dioxide ▪ Lower concentration (<10%) of Methane, Ethane, or other flammable hydrocarbons

6.7 Additional Hazards and Considerations

For additional hazards associated with leaked coolant, leaked refrigerant, leaked electrolyte, emergency considerations during storage, operation, or transportation, first aid measures, or disposal procedures, please see the product-level Tesla Emergency Response Guide (ERG).

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7 EMERGENCY RESPONSE CONSIDERATIONS

7.1 Emergency Contacts

A list of emergency contacts associated with this installation is provided on page 3.

7.2 Personal Protective Equipment (PPE)

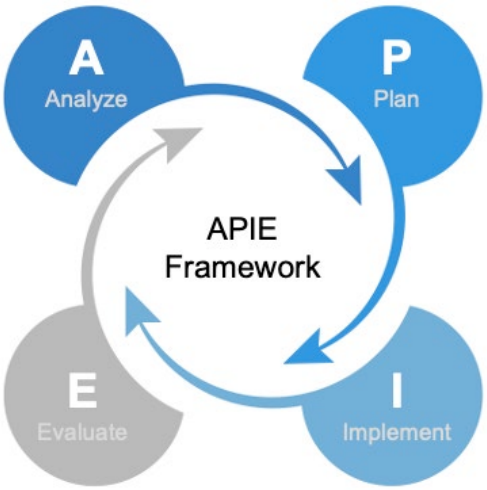
Full firefighter protective gear, including SCBA, shall be worn during response to any fire and/or explosion event or if there is any indication a fire may be present or likely to be present at any time during the event.

If there is no risk of fire or explosion present, arc-rated (AR) protective clothing to protect against arc flash and electrical shock shall be worn. Jewelry such as necklaces shall be removed to avoid contact with any electrical hazard.

Proper PPE shall include the use of a Self-Contained Breathing Apparatus (SCBA).

7.3 APIE (Analyze, Plan, Implement, and Evaluate) Framework

APIE is a framework commonly used for emergency incidents to prepare and develop appropriate response protocol(s). The four elements of the framework are Analyze, Plan, Implement, and Evaluate. An example APIE framework with simplified sample details pertaining to an emergency incident is provided below:



Analyze: For first responder awareness, provide signs and monitoring signals that indicate incident escalation may take place (e.g., fire or explosion).

Plan: Delineate the danger zone to mitigate risks to first responders and bystanders (pedestrians, vehicular traffic, etc.).

Implement: Enforce evacuations; street closures; reduced pedestrian and first responder exposure; and other impact areas that have a life safety concern, as applicable.

Evaluate: Provide continuous incident monitoring and feedback, and adjust accordingly to ensure the ongoing safety of any bystander or responder in the impacted area.

7.4 General Size-Up

Initiation of emergency response shall be activated per current protocol. If there is any threat or potential threat to life or safety, 911 shall be called immediately to summon the aid of public safety responders. An initial scene assessment shall be conducted from all sides (360-degree scene size-up) if possible, and a clear, concise assessment shall be given to incoming responders. Hazards and facility safety concerns, such as high-voltage areas or other electrical concerns, shall be communicated to all responders.

The scene assessment shall include the following in plain language (no codes or terms):

- Incident location
- What has happened
- What is occurring
- Any injuries or unaccounted-for individuals
- Additional needs or other resources that may be necessary

The Incident Command System (ICS) shall be established immediately and shall include the designation of roles. The Incident Command Post (ICP) shall be located at the Fire Department Staging Area at the east entrance of the site. If Public Safety is summoned to the incident, the ICS shall incorporate a Unified Command (UC).

On-site staff (if applicable) shall immediately proceed to a designated muster point, which will be at the ICP location unless designated otherwise by the Incident Commander. Incident Command shall designate an individual to oversee personnel accountability. Accountability shall be reported as soon as possible. If available, another individual shall control any traffic and guide first responders to the scene.

At the same time as these activities are occurring, the designated SME shall immediately contact the Remote Operations Center to obtain available data from the BMS and communicate this to the Incident Commander or other appropriate individual.

WARNING: Risk of Explosion / Deflagration	
	An explosion/deflagration/overpressure event is a critical hazard, and any emergency on site should always be addressed with full awareness of potential factors that may lead to such an event. **Any failure or alarm condition should result in the assumption of an explosion risk.**

WARNING: Toxic Gases	
	Large quantities of toxic smoke and gas may be emitted from the BESS enclosure(s) during battery off-gassing or fire situations. **Proper PPE, including SCBA, should be worn by first responders.**

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7.5 Determine Fire Protection Approach

The decision to provide thermal cooling via hoselines should be made in coordination with the System Owner / Operator and any other required SMEs.

Caution should be exercised if water is applied directly to the exterior of an affected BESS enclosure, as this will not stop a thermal runaway event and may potentially delay eventual combustion of the entire BESS product. Defensive firefighting tactics are generally recommended, with water being applied to nearby exposures for cooling, as necessary. Any hoseline operations should be limited to hose and master stream application from outside of the construction perimeter, as far back as hose stream ranges allow.

A fog pattern from a handline or monitor nozzle may potentially be utilized to control smoke and gases released from the affected enclosure and prevent them from migrating to unwanted areas.

In all instances, power shutdown and isolation involving any high voltage feeder lines must be confirmed before any defensive measures are taken involving the application of water to the site.

WARNING: Risk of Re-ignition	
	Do **NOT** assume the fire is out as the fire event unfolds. A lithium-ion battery fire, which has seemingly been extinguished, may flare up again if all cells within the enclosure have not been completely consumed. The risk of battery re-ignition can remain present for hours or even days after the smoke/flame is initially detected.

7.6 Incident Monitoring and Evaluation

Continuous incident monitoring and feedback should be provided as the situation evolves. Consultation with the System Owner / Operator and any other required SMEs should be ongoing to guide incident response and determine appropriate next steps.

If available, real-time BMS data from the Remote Operations Center should be utilized (e.g., temperature, voltage, or other critical measurements) to monitor the spread of failure and assess the health of adjacent BESS enclosures. This data will help guide response procedures as the event unfolds.

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8 INCIDENT SCENARIOS

8.1 Explosion Incident

Lithium-ion batteries release flammable off-gases during thermal runaway, which, if allowed to accumulate within the enclosure, may create an explosive atmosphere, posing a serious risk to first responders and nearby exposures. Furthermore, it may be difficult to discern conditions within the enclosure if smoke and gas are not visible outside of the unit.

In the case of a fire or thermal runaway event, an explosive or deflagration event may occur, potentially subjecting personnel to overpressure and projectile hazards. An initial exclusion zone should be established to guard against any blast overpressure, based on the discretion of the IC. Fire department staging and operations should not be in direct alignment with the BESS enclosures and should be established at angles relative to the sides of the enclosures (from the corners, as opposed to the faces), if possible. If available, shielding via the built environment should be utilized to protect against high temperatures, overpressure events, or projectile hazards.

A safe stand-off distance of at least 100' shall be maintained between individuals and the BESS enclosure(s) exhibiting fire conditions. Staging of personnel and equipment shall be located at angles relative to the BESS enclosure(s) to stay out of the potential blast radius of any enclosure doors or other possible projectiles.

WARNING: Risk of Explosion / Deflagration	
	An explosion/deflagration/overpressure event is a critical hazard, and any emergency on site should always be addressed with full awareness of potential factors that may lead to such an event. **Any failure or alarm condition should result in the assumption of an explosion risk.**

8.2 Fire Incident

Upon detecting a possible fire incident, the safety controller activates the external warning and communication system, which includes an audible alarm and flashing visual indicators on the enclosure. Smoke and flames may be visible from the outside of the BESS enclosure. Fire growth may be slow, fast, or ultra-fast (e.g., during a deflagration event) in nature.

A safe stand-off distance of at least 100' shall be maintained between individuals and the BESS enclosure(s) exhibiting fire conditions. Staging of personnel and equipment shall be located at angles relative to the BESS enclosure(s) to stay out of the potential blast radius of any enclosure doors or other possible projectiles. Attempt to extinguish the fire only if an imminent threat to life safety exists.

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If there is no immediate threat to life safety:

1. Allow the BESS to burn in a controlled fashion until all fuel sources inside are depleted.
2. A defensive approach should be considered, utilizing water to cool and protect adjacent exposures and to mitigate the spread of fire to areas outside of the fenced installation.
3. Manage the fire incident by utilizing the reach of the hose stream to protect exposures and control the off-gassing and smoke from the enclosure.
4. Remember that, even after the BESS is isolated from the electric grid, there may still be considerable stored energy in the batteries that poses a potential electric shock hazard to anyone in the nearby vicinity.

Additionally, chemicals released during a fire or explosion event will be in a gaseous form and primarily pose an inhalation hazard. A fog pattern from a handline or monitor nozzle may provide an effective means of controlling any off-gases outside of the battery enclosure from migrating to unwanted areas such as public muster points, emergency responders, building intakes, etc.

Hose streams may also be applied to adjacent exposures for cooling purposes. BMS data for the adjacent system(s) – available via the Remote Operations Center – should be closely monitored for any indications of heat impact or water damage to any adjacent BESS enclosures and relayed to the appropriate individual within the Incident Command System.

Following partial or complete consumption of the system by fire, batteries may continue to emit flammable and toxic gases for an extended period of time. Continuous monitoring of gas levels in and around the incident location is recommended. Full firefighter PPE and SCBA shall be utilized until gas levels are confirmed to be at a safe level. A fire watch shall be provided to ensure the continued safety of the site after the situation appears stable.

WARNING: Risk of Re-ignition	
	Do **NOT** assume the fire is out as the fire event unfolds. A lithium-ion battery fire, which has seemingly been extinguished, may flare up again if all cells within the enclosure have not been completely consumed. The risk of battery re-ignition can remain present for hours or even days after the smoke/flame is initially detected.

8.3 Thermal Runaway or Off-Gassing Incident

A thermal runaway incident, as described in Section 6.1, is the characteristic failure mode of lithium-ion batteries. A thermal runaway event may begin suddenly, and the nature of the situation may evolve rapidly depending on several different factors. Combustion of flammable gases may result in fire or explosion, and considerations in Section 8.1 and Section 8.2 should be implemented based on the nature of the event as it unfolds. A thermal runaway event may result in large quantities of smoke and gas being released, which may or may not be visible outside of the BESS enclosure itself. Therefore, it is critical that any failure or alarm condition results in the assumption of an explosion or fire risk.

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In the event of a thermal runaway or suspected off-gassing event, the following actions should be taken:

1. Evacuate the area to a safe location at a sufficient distance from the troubled enclosure.
2. If the alarm system has not already signaled the fire department, immediately call 911.
3. Call the Subject Matter Expert (SME) designated for the site.
4. Call the Remote Operations Center listed on page 3.
5. Establish a safety perimeter around all sides of the BESS and remain outside the fenced area. Based on conditions, the safety perimeter may extend beyond the boundary of the fenced area. Stay upwind of any smoke or off-gassing. Do not allow personnel other than firefighters in proper PPE to enter the safety perimeter.
6. As the incident evolves, a fire or explosion event may occur. Procedures outlined in Section 8.1 and Section 8.2 should be followed based on the situation as it progresses.

WARNING: Risk of Explosion / Deflagration	
	An explosion/deflagration/overpressure event is a critical hazard, and any emergency on site should always be addressed with full awareness of potential factors that may lead to such an event. **Any failure or alarm condition should result in the assumption of an explosion risk.**

WARNING: Risk of Re-ignition	
	Do **NOT** assume the fire is out as the fire event unfolds. A lithium-ion battery fire, which has seemingly been extinguished, may flare up again if all cells within the enclosure have not been completely consumed. The risk of battery re-ignition can remain present for hours or even days after the smoke/flame is initially detected.

WARNING: Toxic Gases	
	Large quantities of toxic smoke and gas may be emitted from the BESS enclosure(s) during battery off-gassing or fire situations. **Proper PPE, including SCBA, should be worn by first responders.**

NOTICE	
	Indicators that may provide insight into what is happening or about to happen during an incident may include: ▪ Smoke or flames ▪ Changes in smoke color ▪ Changes in velocity or volume of smoke production ▪ Sounds – popping and/or hissing ▪ Smell – sweet odor

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8.4 Alarm Incident

In the event of an alarm activation, the following actions should be taken:

1. Evacuate the area to a safe location at a sufficient distance from the troubled enclosure.
2. If the alarm system has not already signaled the fire department, immediately call 911.
3. Call the Subject Matter Expert (SME) designated for the site.
4. Call the Remote Operations Center listed on page 3.
5. Establish a safety perimeter around all sides of the BESS and remain outside the fenced area. Based on conditions, the safety perimeter may extend beyond the boundary of the fenced area. Stay upwind of any smoke or off-gassing. Do not allow personnel other than firefighters in proper PPE to enter the safety perimeter.

   Note: Depending on prevailing weather conditions, the safety perimeter may have to be adjusted/shifted. The IC may determine a secondary safety perimeter depending on the severity of the event and wind impact.

8.5 External Fire / Thermal Exposure Incident

Any type of external heat source or fire impingement (i.e., not stemming from the battery system itself) should be treated as a BESS emergency. The IC should be advised to obtain information on the BESS state of health from the BMS data (e.g., increasing temperature in exposed BESS enclosures) – available from the [Remote Operations Center] – to evaluate the severity of the incident. All precautions previously noted for fire and explosion incidents should be followed.

8.6 Emergency Response During Construction, Commissioning, and Maintenance

The Tesla Megapack 3 BESS is shipped with battery modules installed and partially charged. This is not uncommon throughout the industry, but poses some challenges to emergency response, which may not exist during normal operations. Once the batteries arrive, there will be a period of time until the fire protection system is commissioned.

During this period, fire service personnel should expect to interface with an SME, but no data regarding the conditions inside the enclosures may be available. As such, fire service personnel should take extreme caution when approaching any system that may be experiencing adverse conditions during this phase. Further, information regarding conditions in adjacent containers (relevant in the event of fire) may not be available. Fire service personnel should lean on their own experience and stakeholder expertise to determine risks to adjacent containers and assume direct fire impingement poses an enclosure-to-enclosure propagation risk.

Between the delivery and commissioning of the fire protection system, the explosion prevention system may not be active. In cases where an adverse condition exists inside the system, it should be assumed that an explosive condition exists until proven otherwise.

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8.7 External Impact Incident

If an enclosure is severely impacted, causing crushing or puncturing of the outer shell of the enclosure, treat this as an emergency – notify 911 and any other required parties.

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9 POST-INCIDENT / HANDOFF PROCEDURES

9.1 Handoff Procedures

When an energy storage site is deemed safe, upon determination by the IC, the SME shall ensure that the site is safeguarded until the damaged system is removed, repaired, or replaced based on the approved Decommissioning Plan filed with this installation.

9.2 Activation of Decommissioning Plan

Decommissioning of the system shall take place in accordance with the approved Decommissioning Plan filed with this installation. Deactivation, de-energizing, dismantling, and removal of the system shall be conducted by trained and knowledgeable persons in accordance with the manufacturer's specifications.

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APPENDICES

APPENDIX A – Additional Site Photos

Figure A1 – Additional Site Photos



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APPENDIX B – Signage / Placarding / IO Matrix

Figure B1 – Facility Signage / Placarding



Figure B2 - I/O Matrix



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APPENDIX C – Annual ERP Review Log

The following table provides a log of reviews to be conducted on an annual basis for this Emergency Response Plan (ERP).

Date Conducted	System Owner Sign-Off	SME Sign-Off	Notes / Comments

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APPENDIX D – Annual Fire Department Training Log

The following table provides a log of annual Fire Department training.

Date Conducted	Participating Groups/Orgs	Attendance Count	Notes / Comments	System Owner Sign-Off

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Kimley»Horn

September 25, 2026

Rex Young and Devraj Banerjee
Laurel Creek Energy Storage II LLC
1780 Hughes Landing Boulevard, Suite 675
The Woodlands, Texas, 77380

Subject: ***Laurel Creek Energy Storage II Noise Analysis***
Smyth County, VA

Executive Summary

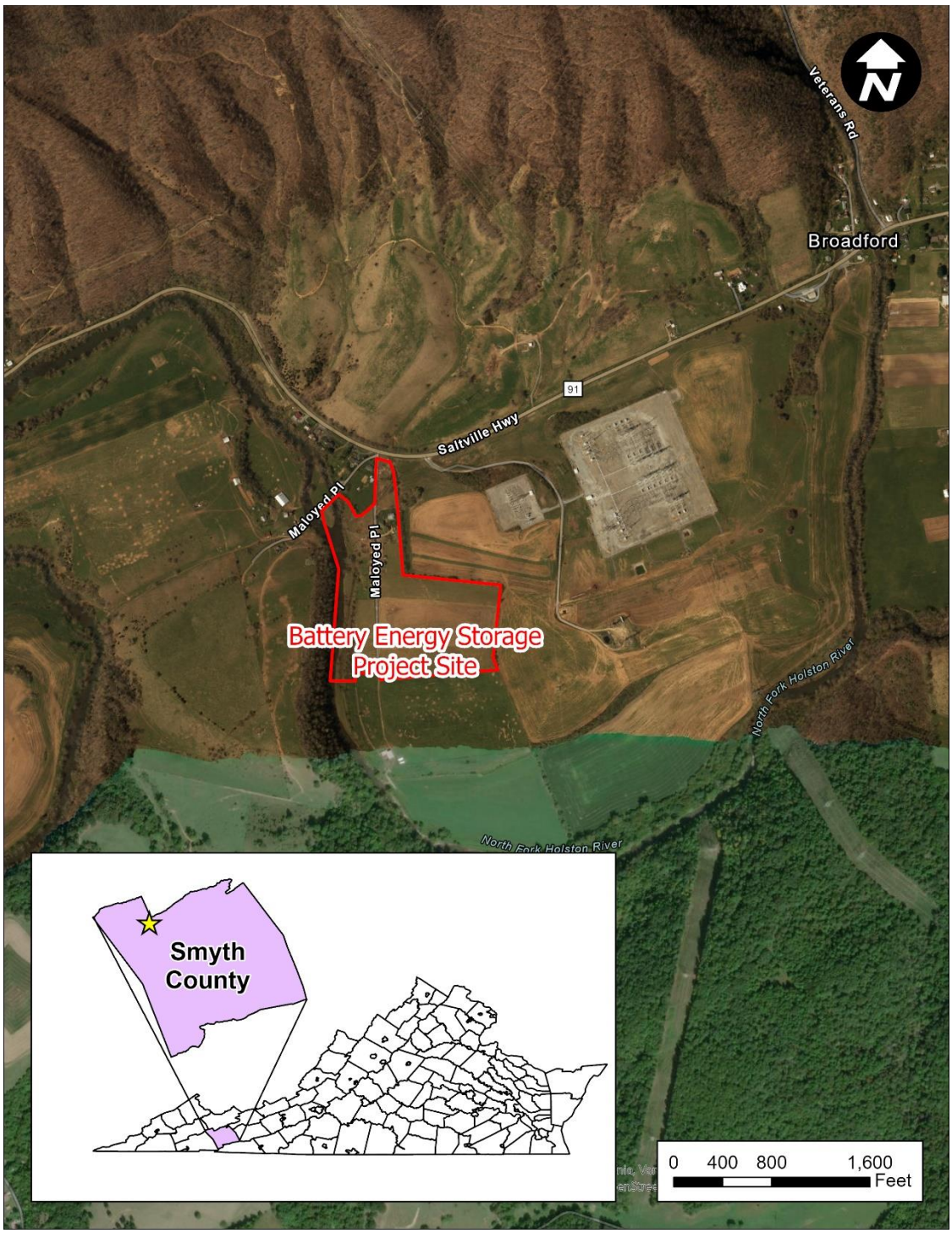
The purpose of this technical memorandum is to summarize the evaluated noise levels associated with the on-site operations at the proposed battery energy storage project in Smyth County, Virginia. The proposed battery energy storage site (BESS) is approximately 5 miles east of Saltville, Virginia. The Site is generally located north of the North Fork Holston River, south of Saltville Highway, east of Maloyed Place, and west of Valley Fork Lane. The site is located on agricultural/rural-zoned land with agricultural/rural zoned land to the north and west containing some rural residential properties, and agricultural zoned land to the south and southeast. The site is immediately adjacent to APCo's Broadford Substation and high voltage transmission lines located to the east and northeast of the project. The site is also immediately adjacent and north of the proposed Laurel Creek Energy Storage project approved by Smyth County in 2023. The location of the proposed BESS is shown in **Figure 1**.

Operational noise levels from the entire BESS facility, including the substation and other ancillary equipment, were modeled assuming the Tesla Megapack battery enclosures. Results of the modeling indicate noise levels from operation of the facility are estimated to range from approximately 45 dB(A) to approximately 55 dB(A) at nearby sensitive receivers. Virginia does not establish a uniform statewide noise standards are specific to BESS facilities. Instead, regulation of environmental noise, including that generated by BESS facilities, is delegated to local governments under the Commonwealth's enabling authority. As a result, applicable noise limits, measurement criteria, and compliance requirements are defined at the county or municipal level through local ordinances and zoning conditions. Smyth County, Virginia, does not specify a noise limit in its Code of Ordinances. The Noise Ordinance contains specific prohibitions that can be reported and enforced (such as loud cars, horns, whistles, etc.) but none apply to this site.

Introduction and Project Description

The Laurel Creek Energy Storage II project (the "Project") is an approximately 20 +/- acre battery energy storage facility, including battery energy storage systems (BESS), inverter/transformer power conversion systems and associated structures, and a substation proposed within Smyth County, Virginia. The Project is proposed within an approximately 33-acre +/- parcel (the "Site") located south of Saltville Highway. A vicinity map, including the boundary of the Site, can be seen in **Figure 1** below. Battery energy storage facilities provide the power grid with flexibility and resiliency by storing excess energy generated during off-peak periods and discharging energy during high demand periods.

Figure 1: Site Location and Vicinity



Characteristics of Noise

Noise is generally defined as unwanted sound. It is emitted from many natural and man-made sources. Sound pressure levels are usually measured and expressed in decibels (dB). The decibel scale is logarithmic and expresses the ratio of the sound pressure unit being measured to a standard reference level. Most sounds occurring in the environment do not consist of a single frequency, but rather a broad band of differing frequencies. The intensities of each frequency add together to generate sound. Because the human ear does not respond to all frequencies equally, the method commonly used to quantify environmental noise consists of evaluating all of the frequencies of a sound according to a weighting system. It has been found that the A-weighted decibel [dB(A)] filter on a sound level meter, which includes circuits to differentially measure selected audible frequencies, best approximates the frequency response of the human ear.

The degree of disturbance from exposure to unwanted sound – noise – depends upon three factors:

1. The amount, nature, and duration of the intruding noise
2. The relationship between the intruding noise and the existing sound environment; and
3. The situation in which the disturbing noise is heard

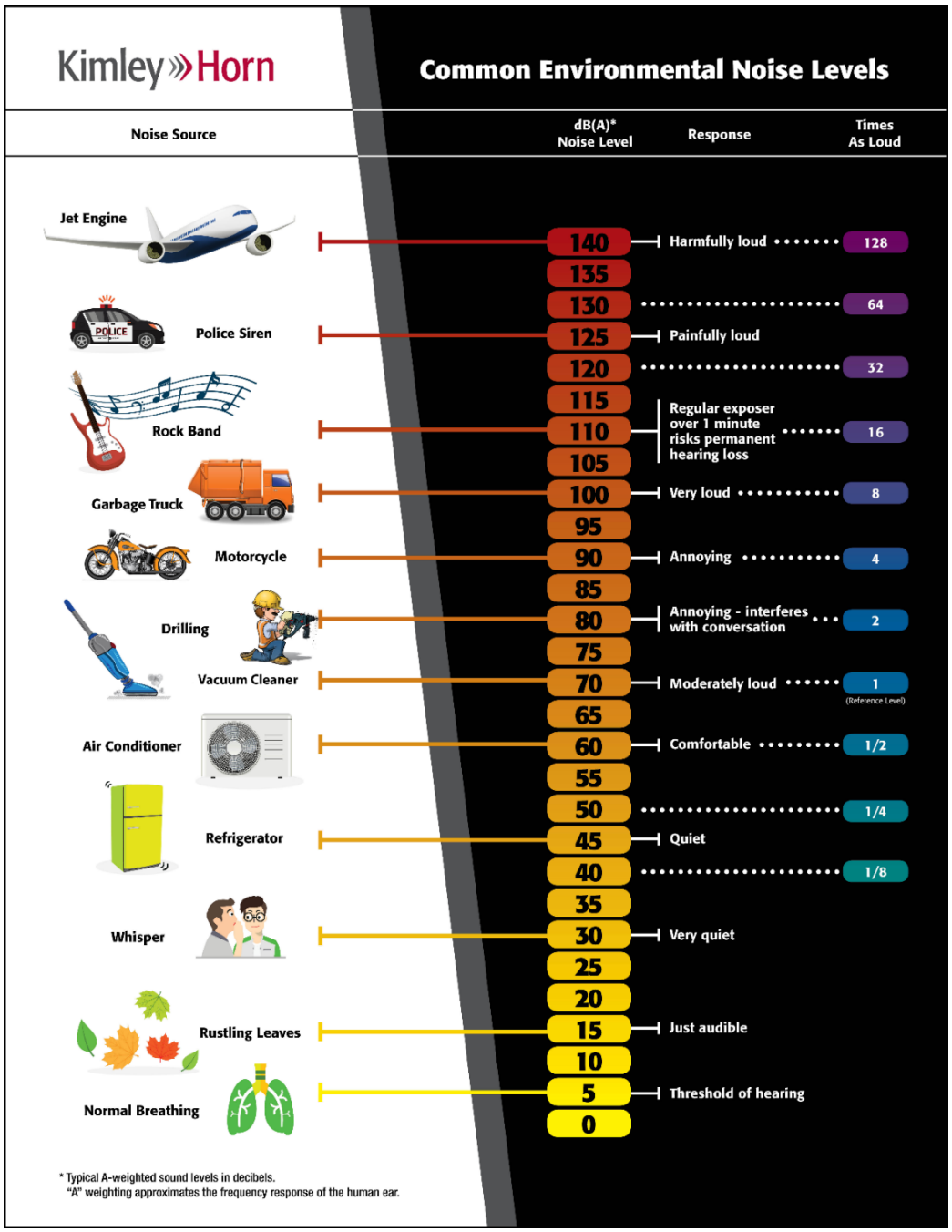
In considering the first of these factors, it is important to note that individuals have varying sensitivity to noise. Loud noises bother some people more than other people, and some individuals become increasingly upset if an unwanted noise persists. The time patterns and durations of noise(s) also affect perception as to whether or not it is offensive. For example, noises that occur during nighttime (sleeping) hours are typically considered to be more offensive than the same noises in the daytime.

With regard to the second factor, individuals tend to judge the annoyance of an unwanted noise in terms of its relationship to noise from other sources (background noise). A car horn blowing at night when background noise levels are low would generally be more objectionable than one blowing in the afternoon when background noise levels are typically higher. The response to noise stimulus is analogous to the response to turning on an interior light. During the daytime an illuminated bulb simply adds to the ambient light, but when eyes are conditioned to the dark of night, a suddenly illuminated bulb can be temporarily blinding.

The third factor – situational noise – is related to the interference of noise with activities of individuals. In a 60 dB(A) environment such as is commonly found in a large business office, normal conversation would be possible, while sleep might be difficult. Loud noises may easily interrupt activities that require a quiet setting for greater mental concentration or rest; however, the same loud noises may not interrupt activities requiring less mental focus or tranquility.

As shown in **Figure 2**, most individuals are exposed to fairly high noise levels from many sources on a regular basis. To perceive sounds of greatly varying pressure levels, human hearing has a non-linear sensitivity to sound pressure exposure. Doubling the sound pressure results in a three decibel change in the noise level; however, variations of three decibels [3 dB(A)] or less are commonly considered “barely perceptible” to normal human hearing. A five decibel [5 dB(A)] change is more readily noticeable. A ten-fold increase in the sound pressure level correlates to a 10 decibel [10 dB(A)] noise level increase; however, it is judged by most people as only sounding “twice as loud”.

Figure 2: Common Noise Levels



Over time, individuals tend to accept the noises that intrude into their lives on a regular basis. However, exposure to prolonged and/or extremely loud noise(s) can prevent use of exterior and interior spaces and has been theorized to pose health risks.

Existing Conditions Investigation

The Site is generally located north of the North Fork Holston River, south of Saltville Highway, east of Maloyed Place, and west of Valley Fork Lane. The site is located on agricultural/rural-zoned land with agricultural/rural zoned land to the north and west containing some rural residential properties, and agricultural zoned land to the south and southeast. Adjacent to the Site is 138kV Broadford Substation, which is approximately 300 feet from the Site boundary.

To assess existing noise conditions at the Site, noise measurements were collected for 24-hour durations from September 10, 2024, to September 11, 2026. Two Larson Davis LxT ANSI Type 1 integrating sound level meters were set up at two different monitoring locations (ML): one near the north section of the property near Saltville Highway (ML1) and one further down the access road closer to the center of the property (ML2). During the measurement period a sound cannon on the existing property was disabled to attain a better representation of the ambient sound levels. The sound cannon was in temporary use to protect crops from animals and birds prior to harvest. This was done by the landowner at the request of the client for the noise study. **Figure 3** depicts the location of the Site as well as the two monitoring locations. Noise measurement hourly L_{eq} values obtained in the field ranged between 45 dB(A) and 69 dB(A) over the course of the measurement period.

The noise monitoring revealed that the predominant source of noise in the vicinity of the proposed Project is roadway noise and ambient environmental noise, which includes wind, birds chirping, insects, animals, etc. Sporadic airplane traffic was heard primarily during the daytime hours of measurement, with vehicle traffic from the nearby roadways, specifically from Saltville Highway to the north of the Site, captured during the monitoring period. The noise from adjacent roadways was less common during nighttime hours, in which environmental noise increased significantly. Insect noise was significant during the nighttime hours. The existing electrical substation to the east did not provide any distinct noise at the monitored locations.

The noise field data of each monitoring site is shown in **Table 1**.

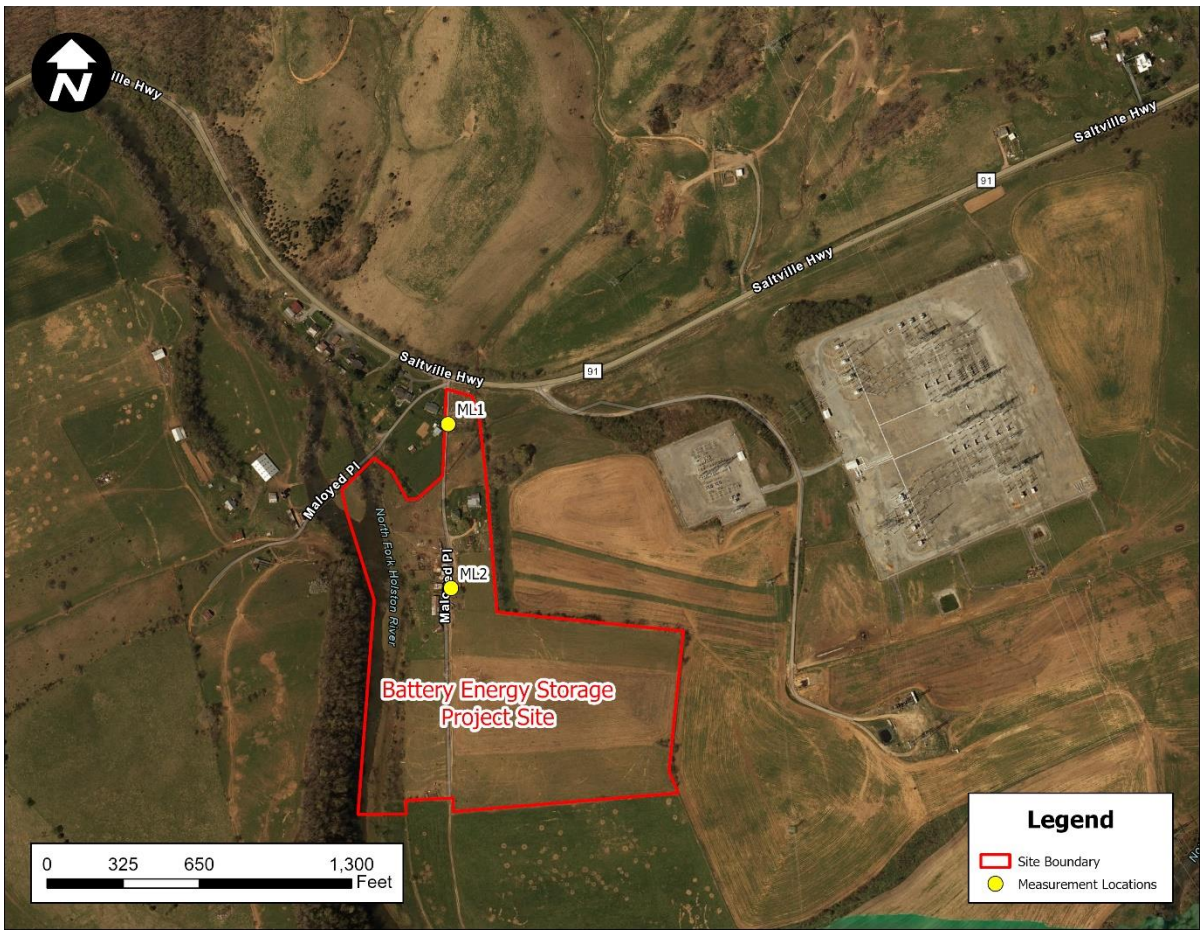
Table 1. Noise Measurement Data

Setup	Location Description	Measurement Time	Overall L_{eq} Noise Level [dB(A)]	Average Daytime L_{eq} Noise Level [dB(A)]	Average Nighttime L_{eq} Noise Level [dB(A)]
ML1	Near Saltville Highway on the northern part of the property	9:17 AM (9/10) to 9:17 AM (9/11)	62.0	60.2	64.2
ML2	Near the center of the property off the access road	9:27 AM (9/10) to 9:27 AM (9/11)	55.0	52.2	56.4

Table 2. Noise Measurement Setup Pictures

ML1	ML2
	

Figure 3: Measurement Site Locations



Project Noise Analysis

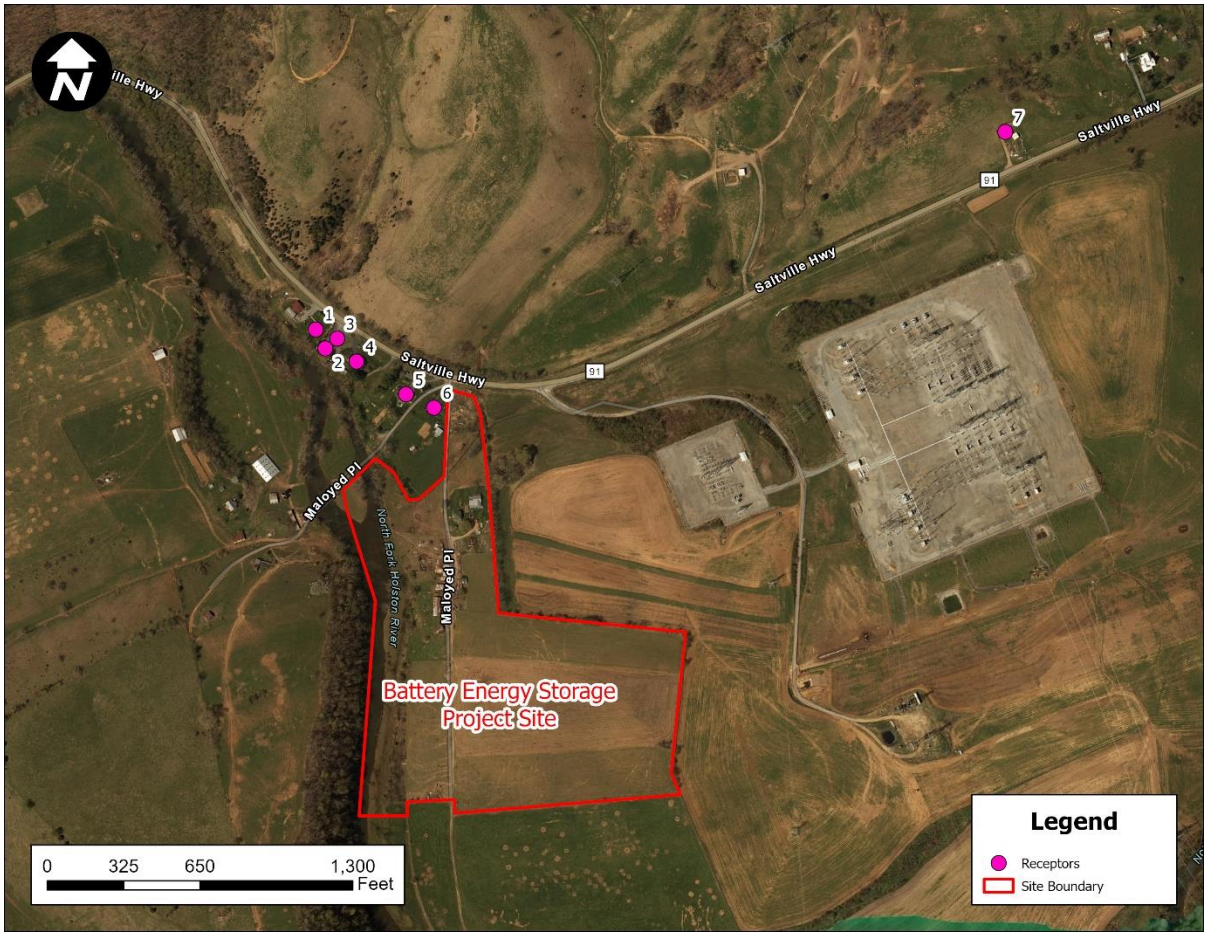
Operations at the site are anticipated to occur 24 hours a day. Technical specifications from the cooling fans of the Tesla Megapack 2XL were used to model the anticipated noise resulting from operation of the Project at the Site. Use of the Tesla MegaPack 2XL or BESS enclosures similar to the Tesla Megapack 2XL with equal or lower noise emissions is a realistic case for the Project. Cooling fans for the BESS were assumed to be constantly running at the maximum audible noise level along with noise from medium voltage transformers and a main power transformer during the modeling of the site to account for a maximum noise scenario.

Manufacturer provided sound level data was evaluated using CadnaA by DataKustik. This program computes predicted noise levels at identified areas at varying distances from the Project through a series of adjustments to reference sound levels. As previously discussed in the “Characteristics of Noise” section, sound levels are measured on a logarithmic scale, and 100 noise sources are not 100 times louder than one noise source. Instead, 100 noise sources would only be 20 dB louder than one

identical source. CadnaA calculates these logarithmic differences and accounts for topography, groundcover type, and intervening structures. Sound levels generated from rooftop fans as part of the Megapack thermal systems made up most of the noise on this site and were assumed to be running continuously at max load, which is the worst-case scenario.

Noise levels were calculated at seven locations nearby that are considered to be noise sensitive receivers. In this case, all these locations are rural residential properties. These locations are shown in **Figure 4**.

Figure 4: Sensitive Receiver Locations



It should be noted that noise from surrounding roadways was not included in the modeling analysis, although Saltville Highway is anticipated to lightly contribute to the ambient noise environment throughout the entire day. While occasional vehicles could be heard during the ambient sound monitoring, they were not the predominant source of ambient noise at the Site.

Equipment Noise Levels

Multiple units were modeled in CadnaA to determine the overall potential noise impact of the site. The Battery Energy Storage Site (BESS) contains 496 Tesla Megapack units. At a maximum fan load, these units were assumed to produce a sound pressure level of 69 dB(A) measured at 33 feet based on information provided by the manufacturer. Additionally, 124 medium voltage transformers and 2 main power transformers were modeled with sound power levels of 72 dB(A) PWL and 97 dB(A) PWL, respectively. The Megapack units and transformers were modeled running at the same time in the noise model.

Noise Regulation

Virginia does not establish a uniform statewide noise standards are specific to BESS facilities. Instead, regulation of environmental noise, including that generated by BESS facilities, is delegated to local governments under the Commonwealth's enabling authority. As a result, applicable noise limits, measurement criteria, and compliance requirements are defined at the county or municipal level through local ordinances and zoning conditions. These local regulations typically specify sound level limits at or near the property boundaries and may include provisions related to tonal or low-frequency noise, hours of operation, and required acoustical studies. Accordingly, assessment of BESS facility noise in Virginia must be conducted with reference to the specific requirements of the governing locality than a statewide standard, and the expected maximum noise level conditions would comply with these noise limits.

Smyth County, Virginia contains regulations regarding their noise ordinance in Chapter 20, Article V of the Smyth County Code of Ordinances. This section does not set decibel limits and neither BESS nor similar land uses are mentioned under Section 20-179 Specific Prohibitions. These Specific Prohibitions contain items like vehicles, horns/whistles, loudspeakers, etc. but no land use or equipment like the proposed Site.

Based on the current Smyth County Code of Ordinances, no local noise limit is set at the time of writing of this memorandum.

Results

Utilizing the input data described above, CadnaA was used to calculate predicted noise levels at the identified receivers around the project site. It should be noted that predicted noise levels are conservative estimates since it was assumed that all equipment and operational activity at the proposed site would occur in a constant, simultaneous manner at full capacity. One modeling scenario was conducted for this site, with the fans modeled at their maximum speed and load.

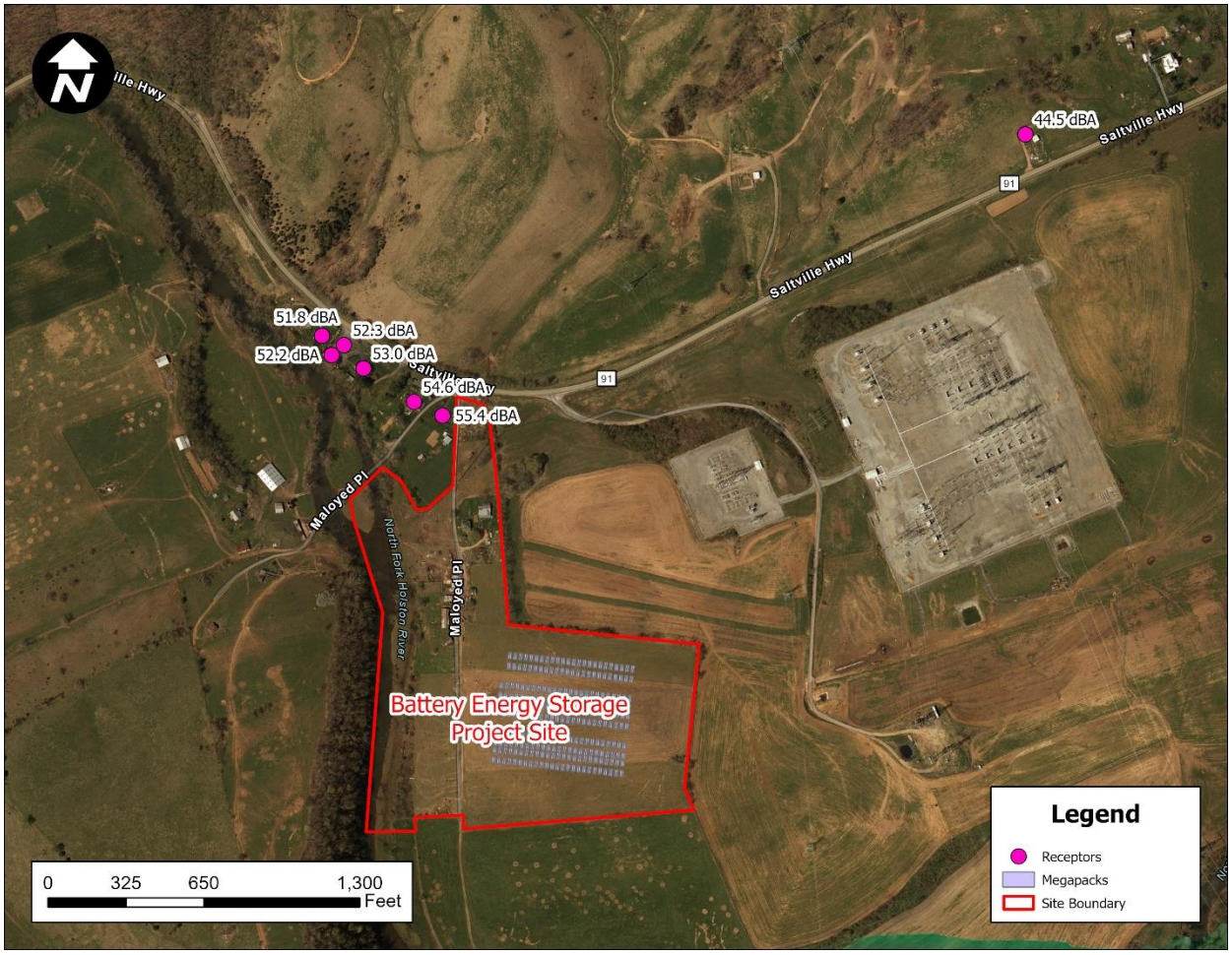
The CadnaA-predicted maximum equivalent noise levels at the nearby sensitive receivers were estimated to range from approximately 45 dB(A) to approximately 55 dB(A). Modeled noise levels are below the recorded ambient noise levels. The receivers directly across the northwestern property boundary show the highest estimated sound levels, and the single eastern receiver has the lowest due to the further proximity. **Table 3** shows the anticipated noise levels at the sensitive receivers

indicated in **Figure 4** figure above. The anticipated worst case operational noise levels are shown in **Figure 5**.

Table 3. Sound Modeling Results

Receiver ID	Land Use	Estimated Sound Level with Max Fans (dB(A))
1	Rural Residential	51.8
2	Rural Residential	52.2
3	Rural Residential	52.3
4	Rural Residential	53.0
5	Rural Residential	54.6
6	Rural Residential	55.4
7	Rural Residential	44.5

Figure 5: Maximum Operational Noise Levels at Sensitive Receivers



Conclusions

After modeling and analyzing the anticipated worst-case operational scenario at the proposed site, noise levels were estimated to range from approximately 45 dB(A) to approximately 55 dB(A) at the closest sensitive receivers. There is currently no noise ordinance set by the Smyth County Code of Ordinances and therefore the modeled noise conditions do not violate any local limits. Additionally, modeled noise levels are below the recorded ambient noise levels and would therefore contribute only small increases in the sound environment.



LAUREL CREEK ENERGY STORAGE II

ECONOMIC AND FISCAL CONTRIBUTION TO SMYTH COUNTY AND TO THE COMMONWEALTH OF VIRGINIA

MANGUM economics®

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SEPTEMBER 2026

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About Mangum Economics, LLC

Mangum Economics was founded in 2003 and since then, we have become known as a leader in industry analysis, economic impact assessment, policy and program evaluation, and economic and workforce strategy development. The Mangum Team specializes in producing objective and actionable quantitative economic research that our clients use for strategic decision making in a variety of industries and environments. We know that our clients are unique, and that one size does not fit all. As a result, we have a well-earned reputation for tailoring our analyses to meet the specific needs of specific clients, with a specific audience.

Most of our research falls into four general categories:

- **Energy:** The Mangum Team has produced analyses of the economic and fiscal impact of over 70 GW of proposed solar, wind, battery energy storage, and hydro projects spanning more than thirty states ranging from 1 MW to over 800 MW in capacity, including small-scale distributed facilities. Among those projects was Dominion's 2.6 GW Coastal Virginia Offshore Wind project off of Virginia Beach. In addition, the Mangum Team has also performed economic and fiscal impact analyses for the natural gas, nuclear, oil, transmission line, and pipeline industries.
- **Economic Development and Special Projects:** The Mangum Team has performed hundreds of analyses of proposed economic development projects and existing entities including museums and tourist attractions, hospital systems, industrial development and mixed-use projects, and economic development regions. The Mangum Team has also authored multiple economic development plans and assessed the impacts of international trade and an overseas trade office.
- **Advanced Applied Technology:** The Mangum Team specializes in analyzing how advanced technology developments (like data centers, fiber networks, and advanced manufacturing plants) contribute to the state and local economies. We have worked with local governments, trade associations, developers, and operating firms across the country to show how investments in advanced critical infrastructure transform local economies across the country.
- **Policy Analysis:** The Mangum Team has extensive experience in identifying and quantifying the impacts of legislative and regulatory initiatives. We have performed analyses (benefit-cost analysis, return on investment, risk assessment, empirical, and logic modelling) spanning a wide array of policy initiatives, including economic development, labor, tax, food safety and nutrition, consumer products, transportation, ecommerce, consumer data collection, environmental, and gaming.

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Executive Summary

This report assesses the economic and fiscal contribution that the proposed Laurel Creek Energy Storage II project would make to Smyth County and to the Commonwealth of Virginia. This report was commissioned by Laurel Creek Energy Storage II LLC and prepared by Mangum Economics.

Laurel Creek Energy Storage II is a proposed 375-megawatt (MW) alternating current (AC) battery energy storage facility (BESS) with an energy capacity of 1,500 megawatt-hours (MWh). The project would be located near Highway 91 (Saltville Highway) and Maloyed Place, directly next to Laurel Creek Energy Storage I in Smyth County, Virginia. The project would be situated on approximately 20 fenced-in acres within a 33-acre tract of purchased agricultural land.

The primary findings from the assessment are as follows:

Economic Impact – Construction Phase[1,2]

- Laurel Creek Energy Storage II would support approximately 110 local and non-local construction jobs.
- Laurel Creek Energy Storage II would provide an estimated pulse of economic activity to Smyth County during its construction phase supporting approximately:
  - 26 direct local construction jobs and 19 indirect and induced local jobs,
  - $2.4 million in associated local wages and benefits,
  - $8.9 million in local economic output, and
  - $0.4 million in state and local taxes payable (in 2026 dollars).
- Laurel Creek Energy Storage II would provide an estimated pulse of economic activity to the Commonwealth of Virginia (including Smyth County) during its construction phase supporting approximately:
  - 83 direct statewide construction jobs and 90 indirect and induced statewide jobs,
  - $12.6 million in associated statewide wages and benefits,
  - $40.1 million in statewide economic output, and
  - $1.4 million in state and local taxes payable (in 2026 dollars).

Economic Impact – Ongoing Operational Phase

- Laurel Creek Energy Storage II would provide an estimated annual economic impact to Smyth County during its ongoing operational phase supporting approximately:[3]
  - 3 direct local operational jobs and 1 indirect and induced local job,
  - $0.3 million in associated local wages and benefits, and

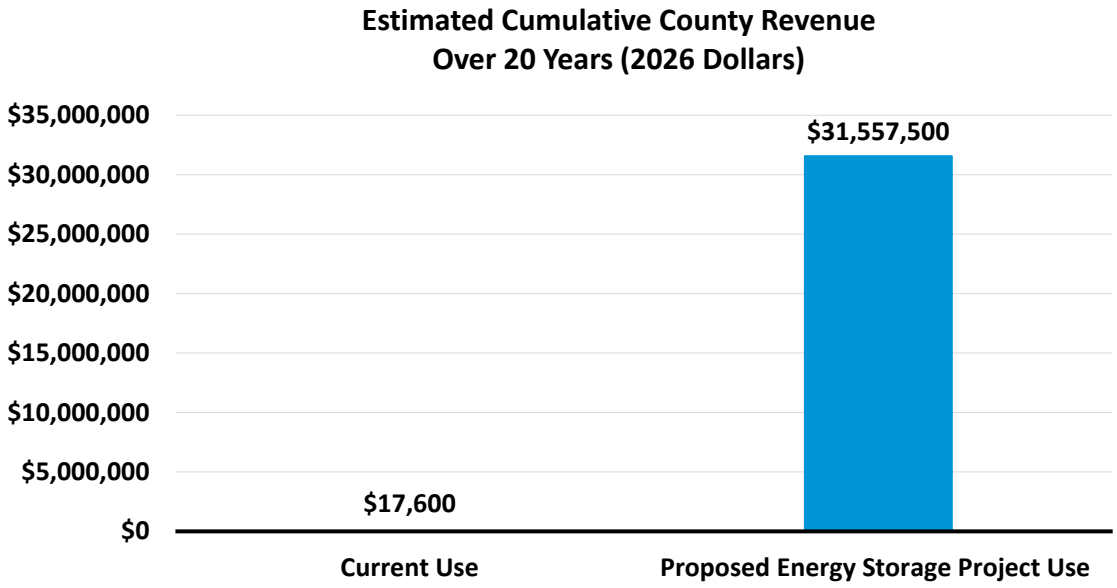
[1] Construction jobs represent employment supported by project spending, not necessarily new hires. The proportion of jobs filled by county or state construction contractors or residents is subject to change based on final vendor contracts.
[2] One construction job equals one person working full-time for one year. Since construction schedules and daily on-site employment vary, the analysis converts these variations into a consistent, 12-month, full-time job.
[3] Please note that it is not possible to know with certainty what proportion of these jobs would go to county residents.

- $0.9 million in local economic output (in 2026 dollars).

- Laurel Creek Energy Storage II would provide an estimated annual economic impact to the Commonwealth of Virginia (including Smyth County) during its ongoing operational phase supporting approximately:
  - 3 direct statewide operational jobs and 2 indirect and induced statewide jobs,
  - $0.3 million in associated statewide wages and benefits, and
  - $1.0 million in statewide economic output (in 2026 dollars).

Fiscal Impact

- Laurel Creek Energy Storage II would generate $31.6 million in cumulative county revenue over the facility's anticipated 20-year operational life, assuming revenues are generated from the taxation of the land, proposed siting agreement payments[4], and the taxation of the associated capital investments.
- In its current use, the property would generate approximately $17,600 in cumulative county revenue – Laurel Creek Energy Storage II would provide a 1,797-fold increase over current revenues (in 2026 dollars).



[4] Data Source: Laurel Creek Energy Storage II LLC. Proposed siting agreement between Laurel Creek Energy Storage II and Smyth County.

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The estimates provided in this report are based on the best information available and all reasonable care has been taken in assessing the quality of that information. However, because these estimates attempt to foresee the consequences of circumstances that have not yet occurred, it is not possible to be certain that they will be representative of actual events. These estimates are intended to provide a good indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.

Introduction

This report assesses the economic and fiscal contribution that the proposed Laurel Creek Energy Storage II project would make to Smyth County and to the Commonwealth of Virginia. This report was commissioned by Laurel Creek Energy Storage II LLC and prepared by Mangum Economics.

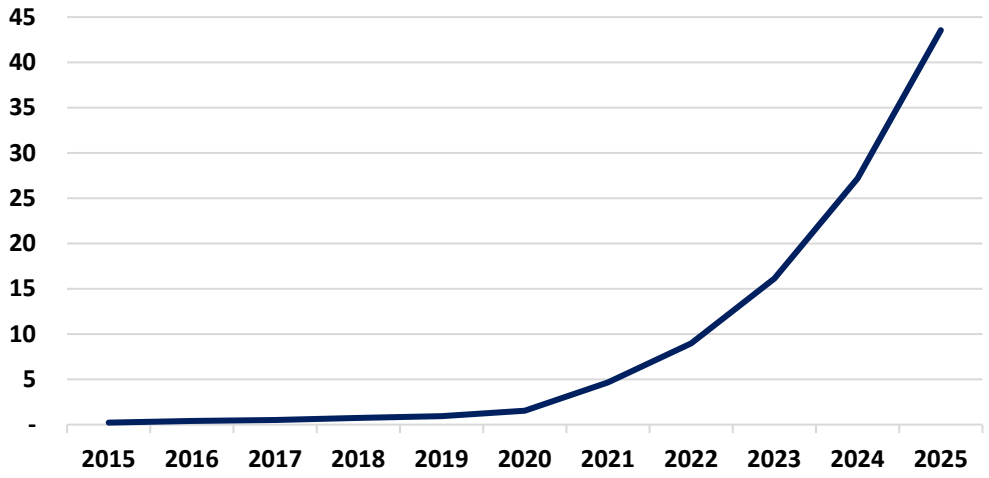
The Project

Laurel Creek Energy Storage II is a proposed 375-megawatt (MW) alternating current (AC) battery energy storage facility (BESS) with an energy capacity of 1,500 megawatt-hours (MWh). The project would be located near Highway 91 (Saltville Highway) and Maloyed Place, directly next to Laurel Creek Energy Storage I in Smyth County, Virginia. The project would be situated on approximately 20 fenced-in acres within a 33-acre tract of purchased agricultural land.

Battery Energy Storage Facilities

Battery storage facilities provide the power grid with flexibility and resilience. The use of these facilities is increasing across the U.S. The first U.S. large scale battery storage facility reported to the U.S. Energy Information Administration (EIA) became operational in 2003. As the data in Figure 1 show, battery power capacity in the U.S. was negligible until 2020 when it grew to 1.5 gigawatts (GW). By the end of 2025, cumulative utility-scale battery capacity climbed past 43 GW, up 60 percent from 2024. The 16 GW of battery storage capacity added to the grid in 2025 accounted for the second-largest share of newly operating generating capacity in the U.S. Utility-scale battery capacity is now expected to surpass 65 GW in 2026, given industry projections for another 24 GW in additions this year.[5]

Figure 1: Battery Power Capacity in the United States – 2015 to 2025 (in gigawatt)[6]



[5] Data Source: U.S. Energy Information Administration. *Based on preliminary data for 2025.*
[6] Data Source: U.S. Energy Information Administration.

Battery Energy Storage in Virginia

Virginia ranks 27th in the nation in terms of operable utility-scale battery energy storage capacity.[7] Battery storage will likely continue to expand in Virginia, supported by state policy and utility-specific targets. Virginia previously established a 3,100 MW energy storage target by 2035 under House Bill 1526 passed in 2020. More recently, Senate Bill 448, signed into law in April 2026, establishes additional targets, including a 16,000 MW goal for short-duration energy storage by 2045 for Dominion Energy and a 780 MW target by 2040 for Appalachian Power.[8]

Dominion Energy is actively advancing battery storage deployment, with several projects in operation or development. The company's 12-megawatt battery pilot project at the Scott Solar generation facility and its 20-megawatt Dry Bridge Battery Energy Storage System in Chesterfield County are operational and serving the grid. Additionally, Dominion Energy has two other pilot projects in its portfolio: a 2-megawatt battery in New Kent County and another 2-megawatt battery in Hanover County. The Virginia State Corporation Commission has also approved a 50-megawatt storage facility at Dulles International Airport in Loudoun County, which is currently under construction.[9]

[7] Data Source: U.S. Energy Information Administration. *Based on preliminary data for 2025.*
[8] Data Source: Virginia's Legislative Information System. Effective July 1, 2026.
[9] Data Source: Dominion Energy.

Local Economic Profile

This section provides context for the economic and fiscal impact assessments to follow by profiling the local economy of Smyth County, Virginia.

Total Employment

Figure 2 depicts the trend in total employment in Smyth County during the ten-year period from December 2015 through December 2025. Employment in the County experienced a general downward trend throughout the period, including a noticeable decline in the spring of 2020 due to a decrease in economic activity associated with the COVID-19 pandemic. Total employment rebounded to pre-pandemic levels before declining again. As of December 2025, total employment in the County stood at 11,058 jobs, which represents an overall decrease in employment of 12.6 percent (or 1,595 jobs) over the ten-year period. To put this number in perspective, over this same period, total employment in Virginia increased by 9.4 percent.[10]

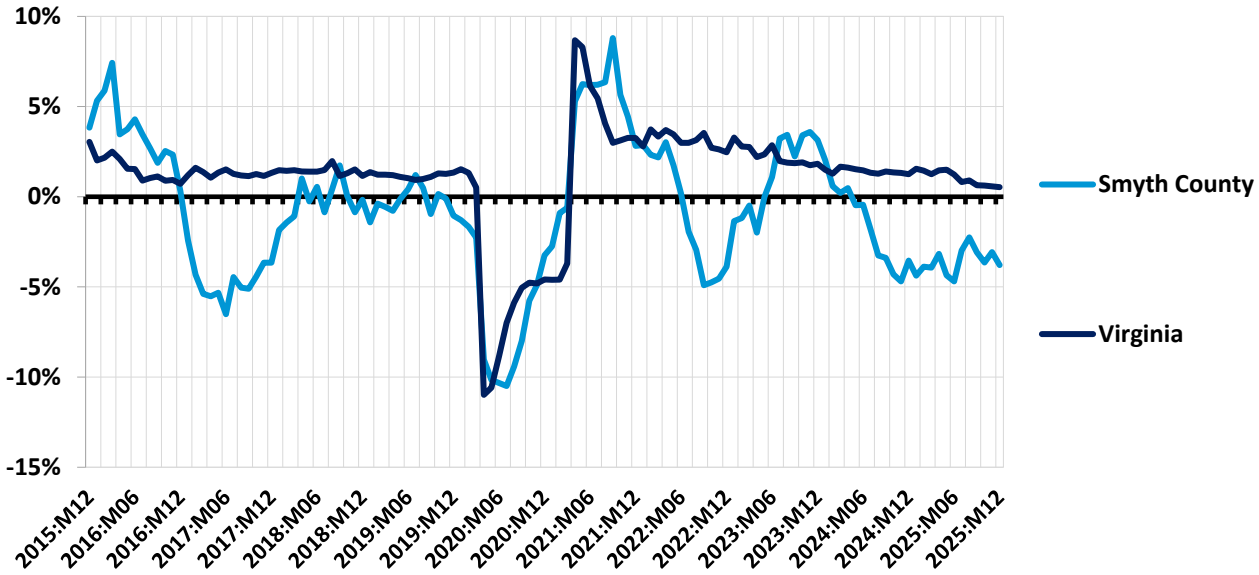
Figure 2: Total Employment in Smyth County – December 2015 to December 2025[11]



To control for seasonality and provide a point of reference, Figure 3 compares the year-over-year change in total employment in Smyth County to that of the Commonwealth of Virginia over the same ten-year period. Any point above the zero line in this graph indicates an increase in employment, while any point below the zero line indicates a decline in employment. As these data show, the year-over-year change in employment in Smyth County tracked below Virginia's average for most of the period. As of December 2025, the year-over-year change in total employment in Smyth County was minus 3.8 percent as compared to 0.5 percent in the Commonwealth of Virginia.

[10] Data Source: U.S. Bureau of Labor Statistics.
[11] Data Source: U.S. Bureau of Labor Statistics.

Figure 3: Year-Over-Year Change in Total Employment – December 2015 to December 2025[12]



Employment and Wages by Industry Supersector

To provide a better understanding of the underlying factors motivating the total employment trends depicted in Figures 2 and 3, Figures 4 through 6 provide data on private employment and wages in Smyth County by industry supersector.[13]

Figure 4 provides an indication of the distribution of private sector employment across industry supersectors in Smyth County in 2025. As these data indicate, the County's largest industry sectors that year were Manufacturing (2,977 jobs), followed by Trade, Transportation and Utilities (1,545 jobs), and Education and Health Services (1,304 jobs).

Figure 5 provides a similar ranking for average private sector weekly wages by industry supersector in Smyth County in 2025. As these data show, the highest paying industry sectors that year were Construction ($1,283 per week), Manufacturing ($1,137 per week), and Financial Activities ($1,057 per week). To provide a point of reference, the average private sector weekly wage across all industry sectors in Smyth County that year was $954 per week.

[12] Data Source: U.S. Bureau of Labor Statistics.
[13] A "supersector" is the highest level of aggregation in the coding system that the Bureau of Labor Statistics uses to classify industries.

Figure 4: Private Employment by Industry Supersector in Smyth County – 2025[14]

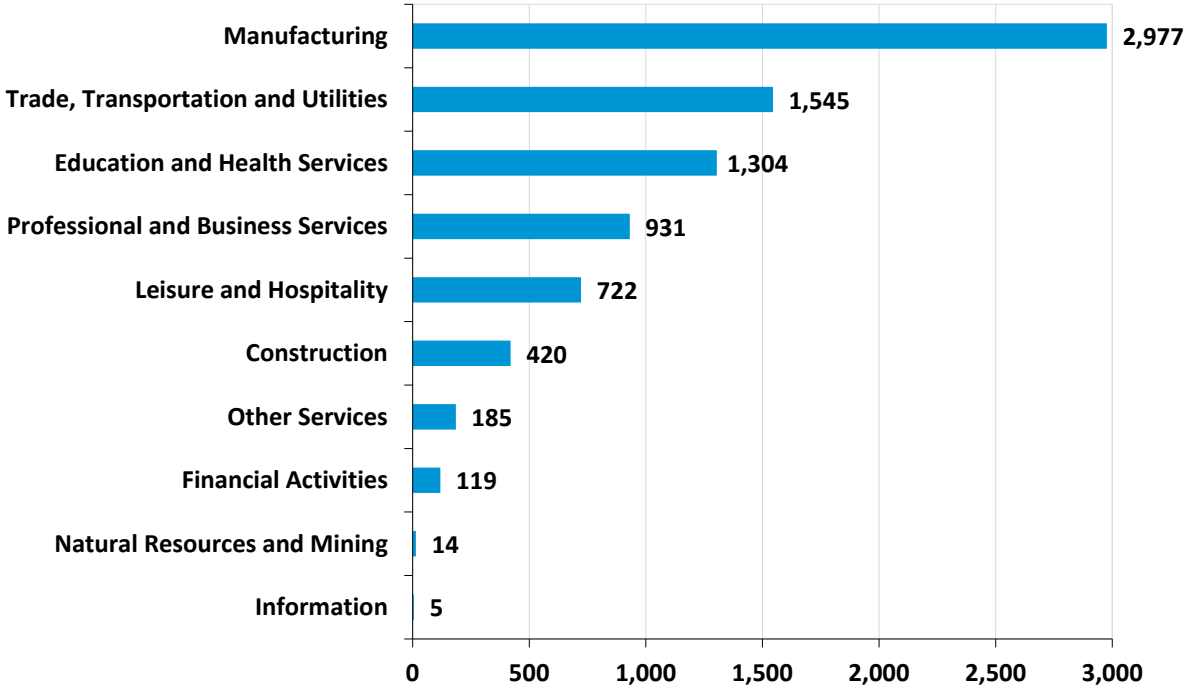
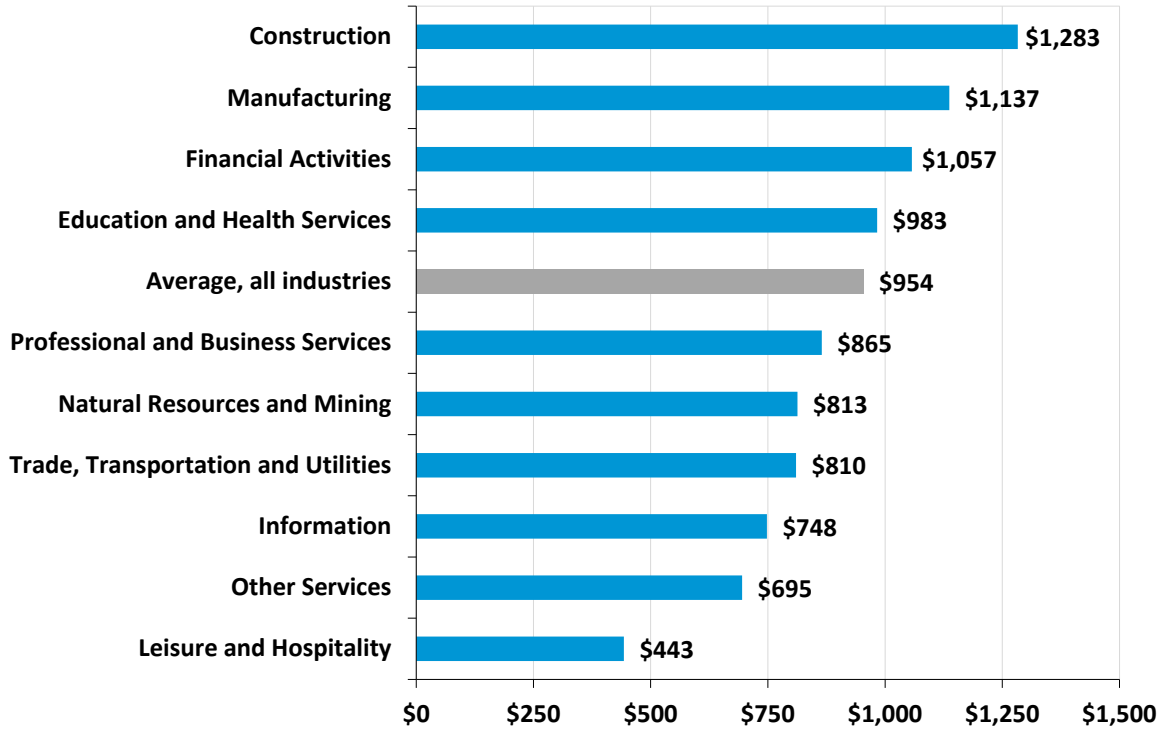


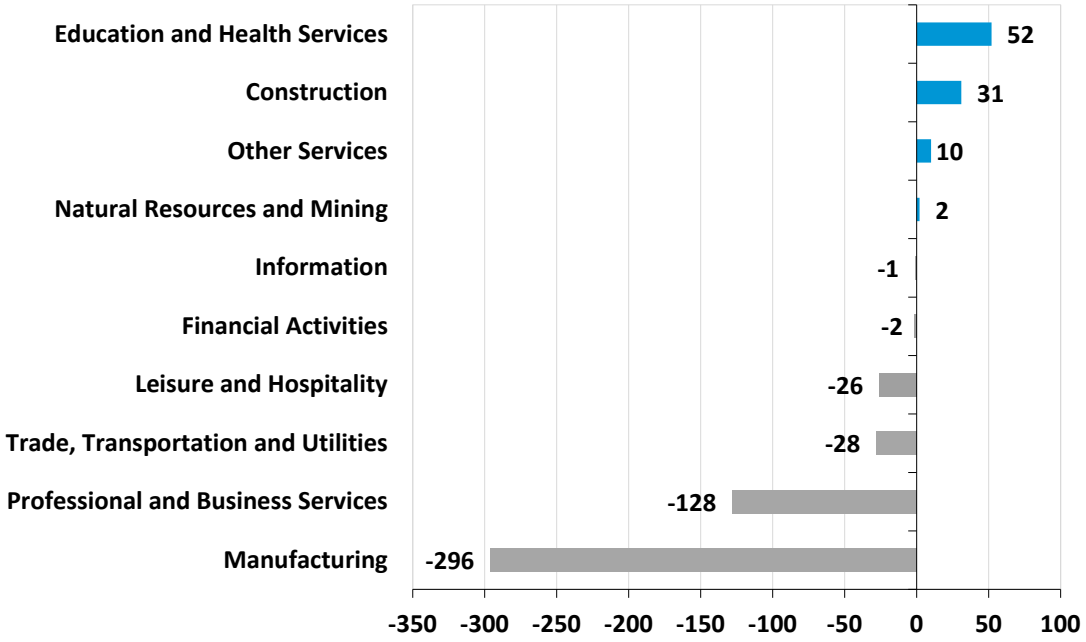
Figure 5: Average Private Weekly Wages by Industry Supersector in Smyth County – 2025[15]



[14] Data Source: U.S. Bureau of Labor Statistics.
[15] Data Source: U.S. Bureau of Labor Statistics.

Figure 6 details the year-over-year change in private sector employment from 2024 to 2025 in Smyth County by industry supersector. Over this period, the largest employment gains occurred in the Education and Health Services (up 52 jobs), Construction (up 31 jobs), and Other Services (up 10 jobs) sectors. The largest employment losses occurred in the Manufacturing (down 296 jobs), Professional and Business Services (down 128 jobs), and Trade, Transportation and Utilities (down 28 jobs) sectors.

Figure 6: Change in Private Employment by Industry Supersector in Smyth County from 2024 to 2025[16]

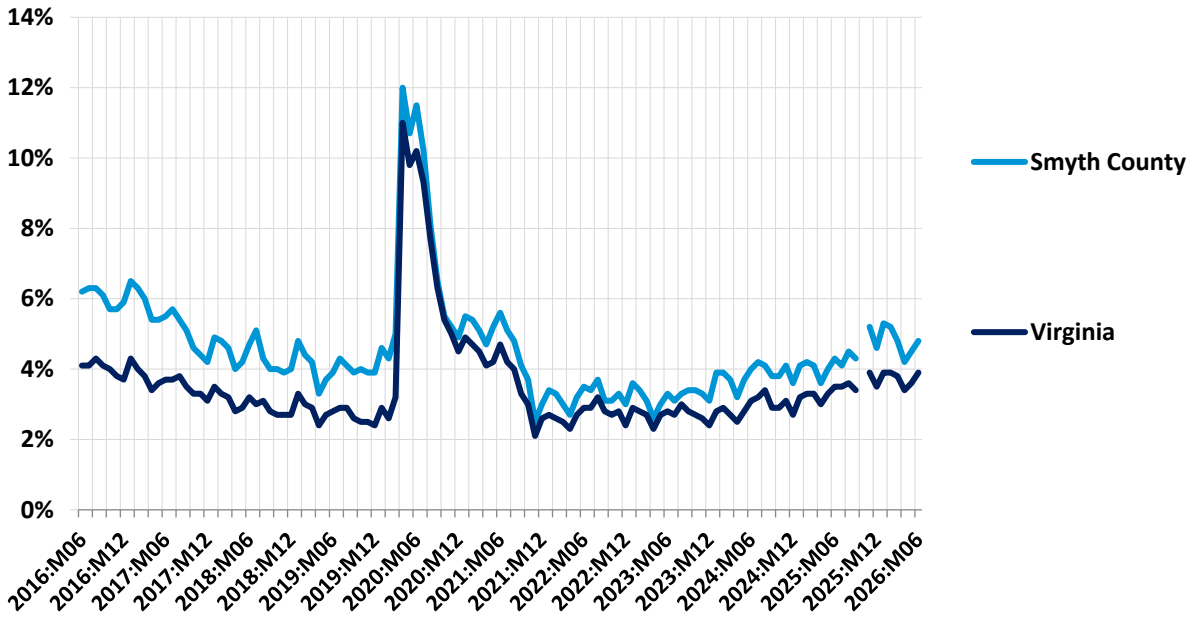


Unemployment

Figure 7 illustrates the trend in Smyth County's unemployment rate over the ten-year period from June 2016 through June 2026 and benchmarks those data against the trend across Virginia. As these data show, the County and the Commonwealth experienced high unemployment rates in the spring of 2020 as a result of the labor dislocations caused by the COVID-19 pandemic. Unemployment rates in Smyth County tracked slightly above Virginia's trend throughout the period. As of June 2026, unemployment stood at 4.8 percent in Smyth County and at 3.9 percent in the Commonwealth.

[16] Data Source: U.S. Bureau of Labor Statistics.

Figure 7: Unemployment Rate – June 2016 to June 2026[17]



[17] Data Source: U.S. Bureau of Labor Statistics.

Economic Impact

This section quantifies the economic and fiscal contribution that Laurel Creek Energy Storage II would make to Smyth County and to the Commonwealth of Virginia. The analysis separately evaluates the pulse of economic activity that would occur during the construction phase of the project, as well as the annual economic activity that the project would generate during its ongoing operational phase.

Method

To empirically evaluate the likely local economic impact attributable to the proposed Laurel Creek Energy Storage II project, the analysis employs a regional economic impact model called IMPLAN.[18] The IMPLAN model is one of the most commonly used economic impact simulation models in the U.S., and in Virginia is used by UVA's Weldon Cooper Center, the Virginia Department of Planning and Budget, the Virginia Employment Commission, and other state agencies and research institutes. Like all economic impact models, the IMPLAN model uses economic multipliers to quantify economic impact.

Economic multipliers measure the ripple effects that an expenditure generates as it makes its way through the economy. For example, as when the Laurel Creek Energy Storage II project purchases goods and services – or when contractors hired by the facility use their salaries and wages to make household purchases – thereby generating income for someone else, which is in turn spent, thereby becoming income for yet someone else, and so on, and so on. Through this process, one dollar in expenditures generates multiple dollars of income. The mathematical relationship between the initial expenditure and the total income generated is the economic multiplier.

One of the primary advantages of the IMPLAN model is that it uses regional and national production and trade flow data to construct region-specific and industry-specific economic multipliers, which are then further adjusted to reflect anticipated actual spending patterns within the specific geographic study area that is being evaluated. As a result, the economic impact estimates produced by IMPLAN are not generic. They reflect as precisely as possible the economic realities of the specific industry, and the specific study area, being evaluated.

In the analysis that follows, these impact estimates are divided into three categories. First round direct impact measures the direct economic contribution of the entity being evaluated (e.g., own employment, wages paid, goods and services purchased by the Laurel Creek Energy Storage II project). Second round indirect and induced impact measures the economic ripple effects of this direct impact in terms of business to business, and household (employee) to business, transactions. Total impact is simply the sum of the preceding two. These categories of impact are then further defined in terms of employment (the jobs that are created), labor income (the wages and benefits associated with those jobs), and economic output (the total amount of economic activity that is created in the economy).

[18] IMPLAN is produced by IMPLAN Group, LLC.

Construction Phase

This portion of the section assesses the economic and fiscal contribution that the pulse of economic activity associated with construction of Laurel Creek Energy Storage II would provide to Smyth County and to the Commonwealth of Virginia.

Economic Impact Assumptions

The analysis is based on the following assumptions:

- Total capital investment in the Laurel Creek Energy Storage II project is estimated to be approximately $456.4 million.[19]
- Laurel Creek Energy Storage II would support approximately 110 local and non-local construction jobs.[20]
- Construction of Laurel Creek Energy Storage II is expected to take approximately 12 to 18 months, but the IMPLAN model and analysis assume all construction is completed during a 12-month period.
- Approximately 75 percent of construction labor is assumed to be sourced from within the Commonwealth based on client-provided information. This is a preliminary assumption for illustrative purposes, and actual in-state labor participation may vary based on vendor contracts.

Economic Impact on Smyth County

As shown in Table 1, based on the analysis, construction of Laurel Creek Energy Storage II would directly provide a pulse of economic activity supporting approximately: 1) 26 jobs, 2) $1.8 million in wages and benefits, and 3) $6.4 million in economic output to Smyth County (in 2026 dollars).

Taking into account the economic ripple effects that direct investment and the per diem spending of non-local construction workers would generate, the total estimated impact on Smyth County would support approximately: 1) 45 jobs, 2) $2.4 million in wages and benefits, 3) $8.9 million in economic output, and 4) $0.4 million in state and local tax revenue (in 2026 dollars).

[19] Data Source: Laurel Creek Energy Storage II LLC. Investment estimate is subject to change based on final design and vendor contracts including impacts of potential tariffs.
[20] Data Source: Laurel Creek Energy Storage II LLC. Subject to change based on final vendor contracts.

Table 1: Estimated Economic and Fiscal Impact on Smyth County from Construction of Laurel Creek Energy Storage II (2026 Dollars)[21, 22, 23]

Economic Impact	Employment	Wages and Benefits	Economic Output
1st Round Direct Economic Activity	26	$1,778,900	$6,391,700
2nd Round Indirect and Induced Economic Activity	19	$604,400	$2,558,100
Total Economic Activity	**45**	**$2,383,300**	**$8,949,800**
Fiscal Impact			
State and Local Tax Revenue			**$399,700**

**Totals may not sum due to rounding.*

Economic Impact on Virginia

(Includes Smyth County impact)

As shown in Table 2, construction of Laurel Creek Energy Storage II would directly provide a pulse of economic activity supporting approximately: 1) 83 jobs, 2) $5.6 million in wages and benefits, and 3) $21.5 million in economic output to the Commonwealth of Virginia as a whole (in 2026 dollars).

Taking into account the economic ripple effects that direct investment and the per diem spending on non-local construction workers would generate, the total estimated impact on the Commonwealth of Virginia would support approximately: 1) 172 jobs, 2) $12.6 million in wages and benefits, 3) $40.1 million in economic output, and 4) $1.4 million in state and local tax revenue (in 2026 dollars).

Table 2: Estimated Economic and Fiscal Impact on the Commonwealth of Virginia from Construction of Laurel Creek Energy Storage II (2026 Dollars)

Economic Impact	Employment	Wages and Benefits	Economic Output
1st Round Direct Economic Activity	83	$5,559,000	$21,515,400
2nd Round Indirect and Induced Economic Activity	90	$7,075,600	$18,545,000
Total Economic Activity	**172**	**$12,634,600**	**$40,060,300**
Fiscal Impact			
State and Local Tax Revenue			**$1,407,900**

**Totals may not sum due to rounding.*

[21] Construction jobs represent employment supported by project spending, not necessarily new hires. The proportion of jobs filled by county or state construction contractors or residents is subject to change based on final vendor contracts.
[22] One construction job equals one person working full-time for one year. Since construction schedules and daily on-site employment vary, the analysis converts these variations into a consistent, 12-month, full-time job.
[23] Wages and Benefits are included in the Economic Output associated with the project.

Ongoing Operations Phase

This portion of the section assesses the annual economic contribution that Laurel Creek Energy Storage II would provide to Smyth County and to the Commonwealth of Virginia during its anticipated 20-year operational phase.

Economic Impact Assumptions

The analysis is based on the following assumptions:

- Laurel Creek Energy Storage II would employ approximately 3 full-time workers and would source locally and statewide available services and materials for additional maintenance of the facility.[24]

Economic Impact on Smyth County

Applying these assumptions in the IMPLAN model results in the following estimates of annual economic impact on Smyth County. As shown in Table 3, annual operation of Laurel Creek Energy Storage II would on average directly support approximately: 1) 3 jobs, 2) $0.2 million in wages and benefits, and 3) $0.7 million in economic output to Smyth County (in 2026 dollars).

Taking into account the economic ripple effects that direct impact would generate, the total estimated annually supported impact on Smyth County would be approximately: 1) 4 jobs, 2) $0.3 million in wages and benefits, and 3) $0.9 million in economic output (in 2026 dollars).

Table 3: Estimated Annual Economic Impact on Smyth County from the Ongoing Operation of Laurel Creek Energy Storage II (2026 Dollars)

Economic Impact	Employment	Wages and Benefits	Economic Output
1st Round Direct Economic Activity	3	$218,900	$715,100
2nd Round Indirect and Induced Economic Activity	1	$40,100	$145,400
Total Economic Activity	**4**	**$259,000**	**$860,500**

**Totals may not sum due to rounding.*

Economic Impact on Virginia

(Includes Smyth County impact)

Applying these assumptions in the IMPLAN model results in the following estimates of annual economic impact on the Commonwealth of Virginia. As shown in Table 4, annual operation of Laurel Creek Energy Storage II would directly support approximately: 1) 3 jobs, 2) $0.2 million in wages and benefits, and 3) $0.7 million in economic output to the Commonwealth of Virginia (in 2026 dollars).

[24] Data Source: Laurel Creek Energy Storage II LLC. Subject to change based on vendor contracts.

Taking into account the economic ripple effects that direct impact would generate, the total estimated annually supported impact on the Commonwealth of Virginia would be approximately: 1) 5 jobs, 2) $0.3 million in wages and benefits, and 3) $1.0 million in economic output (in 2026 dollars).

Table 4: Estimated Annual Economic Impact on the Commonwealth of Virginia from the Ongoing Operation of Laurel Creek Energy Storage II (2026 Dollars)

Economic Impact	Employment	Wages and Benefits	Economic Output
1st Round Direct Economic Activity	3	$218,900	$715,100
2nd Round Indirect and Induced Economic Activity	2	$89,900	$296,600
Total Economic Activity	**5**	**$308,800**	**$1,011,700**

**Totals may not sum due to rounding.*

Fiscal Impact

This section quantifies the direct fiscal contribution that the Laurel Creek Energy Storage II project would make to Smyth County. The analysis considers three sources of revenue. The first source is the additional revenue that Laurel Creek Energy Storage II would generate for Smyth County over a 20-year period from the increased property assessments associated with reassessing the site for storage use property. The second source is proposed siting agreement payments negotiated between Laurel Creek Energy Storage II and Smyth County. The third source is revenue associated with taxes levied on the capital investment.

It should be noted at the outset, however, that the analysis that follows likely understates the actual fiscal impact that Laurel Creek Energy Storage II would have on the County, as it only accounts for the direct fiscal impact that the project would generate. It does not take into account any additional tax revenue that would be generated as a result of the indirect economic activity attributable to the ongoing operation of Laurel Creek Energy Storage II.

Fiscal Impact Assumptions

The analysis is based on the following assumptions:

- Laurel Creek Energy Storage II would involve a total capital investment of approximately $456.4 million.[25]
- Laurel Creek Energy Storage II would be situated on approximately 20 actively used, fenced-in acres.[26]
- The fenced-in area would be reassessed at a potential storage use assessment value of $10,000 per acre.[27]
- Laurel Creek Energy Storage II would not be subject to the locally adopted revenue share ordinance but would be taxed at the local real estate tax rate and assessed by the Virginia State Corporation Commission as an electric supplier.[28]
- Tax rates and locality ratios remain constant throughout the analysis.
- The initial interconnection request for Laurel Creek Energy Storage II was filed in 2026.[29]
- Laurel Creek Energy Storage II's total power capacity would be 375 MW AC.[30]

[25] Data Source: Laurel Creek Energy Storage II LLC. Actual investment may vary based on final design and vendor contracts including impacts of potential tariffs.
[26] Data Source: Laurel Creek Energy Storage II LLC.
[27] Data Source Actual future assessment value for storage projects in Smyth County is currently unknown. The potential future assessment value of $10,000 per acre is an estimate based on experience with comparable storage projects in Virginia.
[28] Data Source: Laurel Creek Energy Storage II LLC. Proposed siting agreement with Smyth County.
[29] Data Source: Laurel Creek Energy Storage II LLC.
[30] Data Source: Laurel Creek Energy Storage II LLC.

- Laurel Creek Energy Storage II's operational life would be approximately 20 years.[31]

Taxation of Land

Table 5 details the increased tax revenue associated with reassessing the 20-acre fenced-in site as storage use property. The County real estate tax revenue from the project after reassessment is estimated to be approximately $1,400 per year, for a cumulative total of approximately $29,000 over the project's anticipated 20-year operational life. This cumulative total includes one-time rollback taxes of approximately $1,400 (in 2026 dollars).

In contrast, the property currently generates approximately $880 per year, for a cumulative total of approximately $17,600 over 20 years (in 2026 dollars).[32]

Table 5: Estimated Cumulative County Revenue from Taxation of Land Over 20 Years (2026 Dollars)

Estimated Increased Assessed Value of Property – Storage Use	$200,000
Smyth County Real Estate Tax Rate (per $100)[33]	$0.69
Annual Revenue	$1,400
Cumulative Revenue	**$27,600**
One-time Rollback Taxes[34]	$1,400
Total Cumulative Revenue	**$29,000**

**Totals may not sum due to rounding.*

Siting Agreement

Siting agreements add significant value to the overall fiscal impact of storage projects to their host localities. The Code of Virginia §15.2-2316.7 stipulates that a storage project is required to request a meeting with its potential host locality to discuss a voluntary siting agreement. The terms and conditions of a siting agreement vary by locality and project.

Table 6 details the additional revenue that the Laurel Creek Energy Storage II project would generate for Smyth County from the proposed siting agreement. Laurel Creek Energy Storage II would pay approximately $0.4 million per year for the first 15 years of its anticipated 20-year operational life for a cumulative total of approximately $6.3 million (in 2026 dollars).[35]

[31] Data Source: Laurel Creek Energy Storage II LLC.
[32] Derived from Smyth County's GIS database.
[33] Data Source: Smyth County Adopted Budget as of June 18, 2026.
[34] Rollback taxes are estimated based on the difference between the land use value assessment tax and the tax on the fair market value for the affected acreage for five complete tax years plus the current year.
[35] Data Source: Laurel Creek Energy Storage II LLC.

The terms of the proposed siting agreement also stipulate that Laurel Creek Energy Storage II would not be subject to the locally adopted revenue share ordinance but would be taxed at the real estate tax rate and assessed by the Virginia State Corporation Commission as an electric supplier.[36]

Table 6: Estimated Cumulative County Revenue Generated by the Proposed Siting Agreement (2026 Dollars)

	Total
Annual Revenue (Years 1 – 15)	$416,700
Cumulative Revenue	**$6,250,000**

Taxation of Capital Investment

Table 7 details the additional annual revenue that Laurel Creek Energy Storage II would generate for Smyth County over a 20-year period from taxes levied on capital investment. This estimate is calculated as: 1) the taxable portion of capital investments pursuant to Virginia Code §58.1-3660, times 2) the State Corporation Commission's current utility assessment ratio for taxation of public utilities in Smyth County, times 3) the State Corporation Commission's current depreciation guidelines for battery storage facilities, times 4) Smyth County's real property tax rate of $0.69 per $100 of assessed value pursuant to Virginia Code §58.1-2606.

As the data in Table 7 indicate, the estimated additional county revenue from taxation of capital investments associated with Laurel Creek Energy Storage II would be approximately $1.7 million in the project's first year of operation, increasing to approximately $1.8 million in the third year due to an additional capital investment associated with the capacity maintenance units. Total revenue is projected to decrease thereafter despite additional capital investments as the value of the total equipment is further depreciated for a cumulative total of approximately $25.3 million over the 20-year anticipated operational life (in 2026 dollars).

[36] Proposed siting agreement subject to negotiation between Laurel Creek Energy Storage II and Smyth County.

Table 7: Estimated Cumulative County Revenue Generated by Taxation of the Capital Investment Over 20 Years (2026 Dollars)

Year	Total Capital Investment[37]	Depreciated Value of Taxable Capital Investment[38]	Additional Annual County Tax Revenue BESS Investment[39]
1	$378,247,400	$252,253,200	$1,740,500
2	$378,247,400	$252,253,200	$1,740,500
3	$393,497,400	$262,423,400	$1,810,700
4	$393,497,400	$257,126,100	$1,774,200
5	$393,497,400	$247,512,500	$1,707,800
6	$408,497,400	$247,100,100	$1,705,000
7	$408,497,400	$235,893,700	$1,627,700
8	$408,497,400	$224,018,900	$1,545,700
9	$420,797,400	$219,439,300	$1,514,100
10	$420,797,400	$205,730,900	$1,419,500
11	$420,797,400	$191,187,400	$1,319,200
12	$435,297,400	$185,274,900	$1,278,400
13	$435,297,400	$168,626,000	$1,163,500
14	$435,297,400	$150,973,500	$1,041,700
15	$448,297,400	$140,750,800	$971,200
16	$448,297,400	$120,538,400	$831,700
17	$448,297,400	$99,117,800	$683,900
18	$456,397,400	$81,643,200	$563,300
19	$456,397,400	$62,243,100	$429,500
20	$456,397,400	$59,447,300	$410,200
Cumulative Total			**$25,278,500**

**Totals may not sum due to rounding.*

Total Fiscal Impact

Table 8 combines the results from the calculations depicted in Tables 5, 6, and 7 to provide an estimate of the total cumulative fiscal contribution that the Laurel Creek Energy Storage II project would make to Smyth County over its 20-year anticipated operational life. As these data indicate, that cumulative total is approximately $31.6 million (in 2026 dollars).

[37] Data Source: Laurel Creek Energy Storage II LLC.
[38] Accounts for the State Corporation Commission's depreciation guidelines for battery storage facilities and the utility assessment ratio for taxation of public utilities in Smyth County. The entire capital investment would be subject to taxation pursuant to Virginia Code §58.1-3660.
[39] Calculated pursuant to Virginia Code §58.1-2606. Laurel Creek Energy Storage II would be taxable at a rate not exceeding Smyth County's real property tax rate.

Table 8: Estimated Total Cumulative County Revenue from the Laurel Creek Energy Storage II Project Over 20 Years (2026 Dollars)

Taxation of Land	$29,000
Proposed Siting Agreement Payments	$6,250,000
Taxation of Capital Investments	$25,278,500
Total Cumulative Revenue	**$31,557,500**

**Totals may not sum due to rounding.*

Current Use Comparison

This section provides a benchmark for the previous estimates of the economic and fiscal contribution that the Laurel Creek Energy Storage II project would make to Smyth County by estimating the economic and fiscal contribution that the site makes to the County in its current use.

Economic Impact Assumptions

The analysis is based on the following assumptions:

- The Laurel Creek Energy Storage II project would be situated on an approximately 20-acre tract of agricultural land used to produce hay.[40]

Economic Impact

Applying these assumptions in the IMPLAN model results in the following estimates of annual economic impact. As shown in Table 9, in its current use, the proposed project site directly supports approximately: 1) less than 1 job, 2) $570 in wages and benefits, and 3) $2,600 in economic output to Smyth County (in 2026 dollars).

Taking into account the economic ripple effects that direct impact generates, on average, the total annually supported impact on Smyth County is approximately: 1) less than 1 job, 2) $580 in wages and benefits, and 3) $2,700 in economic output (in 2026 dollars).

Table 9: Total Estimated Annual Economic Impact of the Project Site on Smyth County – Current Use (2026 Dollars)[41]

Economic Impact	Employment	Wages and Benefits	Economic Output
1st Round Direct Economic Activity	< 1	$570	$2,600
2nd Round Indirect and Induced Economic Activity	< 1	$10	$100
Total Economic Activity	**< 1**	**$580**	**$2,700**

**Totals may not sum due to rounding.*

[40] Data Source: Laurel Creek Energy Storage II LLC.
[41] Calculations based on data from the U.S. Department of Agriculture and IMPLAN Group, LLC for Smyth County.

Fiscal Impact Assumptions

The analysis is based on the following assumptions:

- The current assessment value of the affected acreage is approximately $0.1 million.[42]

Fiscal Impact

Table 10 details the estimated tax revenue that the proposed project site generates for Smyth County in its current use. As the data in Table 10 indicate, the current county real estate tax revenue from the project site is estimated to be approximately $880 per year, for a cumulative total of approximately $17,600 over 20 years (in 2026 dollars).

Table 10: Estimated Cumulative County Revenue Generated by the Project Site Over 20 Years – Current Use (2026 Dollars)

Estimated Assessed Value of Property – Current Use	$127,300
Smyth County Current Real Estate Tax Rate (per $100)	0.69
Annual Revenue	$880
Cumulative Revenue	**$17,600**

**Totals may not sum due to rounding.*

The estimates provided in this report are based on the best information available and all reasonable care has been taken in assessing the quality of that information. However, because these estimates attempt to foresee circumstances that have not yet occurred, it is not possible to provide any assurance that they will be representative of actual events. These estimates are intended to provide a general indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.

[42] Derived from Smyth County's current GIS Website and property tax cards. Includes the value of existing structures that may be affected.