

STATE OF ILLINOIS
WASHINGTON COUNTY ZONING BOARD OF APPEALS

GATEHOUSE ENERGY LLC
APPLICATION FOR A SPECIAL USE PERMIT

4/23/2026
6:20 P.M. - 9:09 P.M.

ZONING ADMINISTRATOR:
Krystal Althoff

HEARING FACILITATOR:
Scott Kains, Esq.

WASHINGTON COUNTY ZONING BOARD MEMBERS:
Dwayne Mulholland - Chairman
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Mike Chwaszczinski
Patricia Rensing
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1 MR. KAINS: All right. Good evening, folks.
2 Washington County has retained me to serve as the
3 hearing facilitator for a public hearing regarding case
4 S004-026, an Application For Special Use Permit
5 submitted to Washington County by Gatehouse Energy
6 Storage LLC. It's a request for a Special Use Permit to
7 allow for construction and operation of a battery energy
8 storage facility.

9 I can tell by the number of folks in the room
10 that this has -- has and will have an impact on the
11 folks in Washington County. The reason I was asked to
12 be here is to conduct the public hearing in as fair a
13 manner as possible. I've been an attorney for 35 years.
14 I've been conducting hearings in counties such as this
15 throughout downstate Illinois throughout the last eight
16 or nine years. I've done dozens of these, and we've
17 found a way that we like to think makes it go as fairly
18 as possible, and when I say that, this is a public
19 hearing. When it comes time for the county board to
20 vote on this, the final vote, the county board is not
21 going to hear testimony. They're not going to hear from
22 the Applicant and its expert witnesses. It's not going
23 to be able to hear from everyone in favor of and
24 everyone opposed to. So, tonight and probably a
25 subsequent night as well, we're going to hear testimony

1 from numerous individuals, and the public will have a
2 chance to ask questions of those individuals. Now, the
3 questions have to be relevant and pertain to that
4 witness's expertise. If not, I serve a function as a
5 facilitator to move things along as quickly as possible
6 but as fairly as possible, and if the question doesn't
7 pertain to the issues at hand, then I will ask the
8 person to move on to a different question.

9 Here's how it works. The Applicant and their
10 witnesses are seated over at this table, including their
11 attorney Mr. James Griffin. The County is represented
12 by attorneys over here, Mr. Andrew Keyt and Ms. Alex
13 Reeves. She's back in the back of the room making sure
14 everything goes right for the County, and their
15 paralegal Brian Tuck is here as well. I serve the
16 function as kind of like a judge, just to make sure
17 everything goes correctly and that the public's right to
18 be heard is covered. The folks up here on either side
19 of me are members of the Washington County Zoning Board
20 of Appeals. They are the jury in this case. They will
21 decide whether to approve this Special Use Permit for
22 the battery energy storage facility or to recommend
23 denial. The ultimate decision goes to the Washington
24 County Board.

25 So, first of all, Gatehouse Energy Storage will

1 get to call its witnesses. They have what's called the
2 burden of proof. This is going to be kind of like a
3 meeting but kind of like a court hearing, okay?
4 Witnesses are going to testify under oath. They have
5 the burden of proving that their application meets all
6 applicable standards of the Washington County ordinance
7 and the State of Illinois statutes. They -- Mr. Griffin
8 has informed me they have seven or eight witnesses they
9 expect to call. Each witness will get to make a
10 presentation and then have questions from Mr. Keyt, the
11 attorney for Washington County, members of the board,
12 and members of the public who have an interest in this
13 particular case. After one witness testifies, they'll
14 call their next. We'll go through their witnesses.
15 Hopefully, we'll get through most of them or all of them
16 this evening. Then there will be an opportunity to
17 persons who are in favor of the project to get up and
18 testify. Then there will be an opportunity for
19 opponents to get up and testify. If you get up and
20 testify at the podium, you also are under an obligation
21 to answer questions from the attorneys, members of the
22 board, and members of the public.

23 So, with that said -- oh, one other important
24 thing. This is a tough room. Not from the looks of the
25 people, the fact that it's warm and the fact that it's

1 relatively large. We have a court reporter sitting up
2 here who is taking down every word of this meeting, and
3 if she can't hear, then everything is out the window,
4 because this transcript -- this young lady will take
5 everything that's said and then type a transcript, and
6 everybody on the county board will get it so they'll
7 know everything that happened at this meeting in
8 addition to knowing the recommendation from the zoning
9 board of appeals. Since she's taking everything down,
10 only one person at a time can talk. So, if you're
11 talking, everybody else needs to be quiet. Now, we have
12 the issue of the fan running. Once we get going, it's
13 going to have to be turned off. So, I'm going to allow
14 this. I see a gentleman over here with a jacket and tie
15 nodding his head.

16 Sir, you will be able to take off your jacket.

17 Same goes for attorneys up here, anybody else,
18 because there are some courtrooms in this state and in
19 this country where the judges do not allow you to take
20 off your jacket if you're an attorney, and I sweated
21 through a non-air conditioned hearing in a mental health
22 facility a number of years ago in which I was
23 prosecuting, and we sweated our tails off, but I'm not
24 going to make anybody -- we're going to have to sweat
25 because that's going to be the nature of this, but --

1 so, please bear with us, be patient, and with that, I'm
2 going to call upon Mr. Keyt, the attorney for the
3 County, to give us an identification of the application
4 and a discussion of whether the fees -- confirm whether
5 the fees have been paid. Mr. Keyt.

6 ATTORNEY KEYT: Okay. Thank you, Mr. Kains.

7 The application is for a Special Use Permit to
8 construct and operate a battery energy storage system.
9 The proposed project will comprise of up to
10 185 megawatts of battery energy storage with an energy
11 capacity of 740-megawatt hours and a discharge duration
12 of four hours. The proposed project will consist of a
13 series of battery units and enclosures, inverters,
14 transformers, above and below-ground electric cabling,
15 driveway access roads, a storm water facility,
16 vegetative screening, a utility switchyard, which will
17 ultimately -- may be owned by Ameren, a collector
18 substation, an operations and maintenance building, and
19 other ancillary facilities. The proposed project is
20 located Du Bois Township, Washington County, Illinois.
21 Publication notice has been performed, and notice has
22 been sent to the adjacent landowners under the Illinois
23 Counties Code. The requisite fees, I believe, have been
24 paid, although I don't see Krystal. My understanding is
25 the requisite fees for the Special Use Permit

1 Application have been paid to the County.

2 MR. KAINS: Ms. Althoff, could you give me a
3 thumbs up if the fees have been paid, the application
4 fees?

5 MS. ALTHOFF: Yes.

6 MR. KAINS: Yes, they have. Okay. Very good.
7 Thank you. It's a necessary thing under the statute.
8 All right.

9 With that said, I'm going to turn things over to
10 Mr. James Griffin. He is the attorney for Gatehouse
11 Energy Storage LLC, and he has indicated to me that he
12 wishes to make a very brief opening statement.

13 Mr. Griffin.

14 ATTORNEY GRIFFIN: Thank you, Mr. Kains.

15 Members of the board, my name is James Griffin.
16 I am the attorney for the applicant, Gatehouse Energy
17 Storage. I know you all have a copy of the application
18 that we spent many months preparing pursuant to the
19 requirements of the Washington County battery storage
20 ordinance. We are going to present several witnesses
21 tonight, all of whom have contributed to the preparation
22 of this application and are going to be able to provide
23 additional information about this project, about what
24 battery storage is, and -- of which I'm sure you're
25 curious to learn more and have the opportunity to answer

1 any questions that you all have and the general public
2 has. So, that's going to be the end of my opening
3 statement, and we're going to get right to the
4 witnesses.

5 Mr. Kains, with your permission, I'd like to call
6 my first witness.

7 MR. KAINS: Yes, sir. Go right ahead.

8 ATTORNEY GRIFFIN: Go ahead.

9 MR. KAINS: While this witness is coming up, I
10 just want to let everyone know we're not going to be
11 here until midnight. The zoning board of appeals has
12 said we're going to stop right around nine o'clock,
13 probably not much later if at all possible, and if we
14 have to go to a second night, then we have to go to a
15 second night.

16 MR. KAINS: All right. Sir, could you please
17 raise your right hand to be sworn?

18 (Witness sworn.)

19 MR. KAINS: Okay. Very good, sir. Could you
20 please state your name for the record?

21 MR. GORMAN: Quinn Gorman.

22 MR. KAINS: Mr. Gorman, I'm going to need you to
23 step closer to the microphone.

24 MR. GORMAN: I'm going to hold the microphone.

25 MR. KAINS: There you go. Okay. How do you

1 spell your first name, sir?

2 MR. GORMAN: Q-U-I-N-N.

3 MR. KAINS: And your last name is spelled?

4 MR. GORMAN: Gorman, G-O-R-M-A-N.

5 MR. KAINS: All right, and I will turn the
6 questioning over to you, Mr. Griffin.

7 ATTORNEY GRIFFIN: Thank you. Can everybody hear
8 me?

9 EXAMINATION BY ATTORNEY MR. GRIFFIN

10 Q. Quinn, what's your current place of employment?

11 A. Invenergy LLC.

12 Q. And I've passed out a copy of your professional
13 resumé to the board already, and I know you've also seen
14 it. Are the statements in your resumé true and correct?

15 A. They are.

16 Q. And please summarize your educational background.

17 A. I hold a Bachelor of Arts in international
18 business from Rollins College and a Master of Business
19 Administration from the Grossman School of Business at
20 the University of Vermont.

21 Q. And can you please summarize your professional
22 background in energy project development?

23 A. Yes, I am the developer. I have worked on over a
24 dozen utility-scale wind, solar, and battery energy
25 projects in the states of Illinois and Missouri.

1 Q. And I would ask you to describe in general what
2 utility-scale energy projects are.

3 A. A utility-scale is a larger project. My projects
4 have ranged from 150 megawatts to 300 megawatts. When
5 they get past the contracted stage, they represent a
6 value of anywhere between 250 million to \$600 million.

7 Q. As an energy project developer, what are your
8 primary responsibilities?

9 A. I would say it starts with land control -- okay.
10 Great. Land control, so working with private landowners
11 to gain easement access rights to land so that we can
12 site all of our project facilities and achieve access to
13 the utility transmission infrastructure. I would also
14 say that site characterization. So, working with our
15 specialists, our department leads, our experts to make
16 sure that we understand the physical characteristics of
17 the land on which we're working with and where the
18 facilities can be appropriately sited.

19 Interconnection, working with the utilities and
20 the regional transmission organizers, which in this case
21 are Ameren Illinois and MISO, to understand the
22 condition of the transmission infrastructure and then
23 also to understand what amount of physical upgrade will
24 be required so Gatehouse can put its full capacity back
25 on the grid.

1 Permitting, what we are doing here now. The sale
2 of electricity, which is working with our origination
3 team, functions as our sales team to identify, qualify
4 buyers of electricity, and also a lot of work with
5 preparation for construction, onboarding our builder.
6 So, identifying appropriate builders for these projects,
7 making sure they completely understand the easements
8 that we have for the projects, that they understand the
9 permit and the ordinance, and that us, the builder, and
10 the County are all on the same page to limit the impacts
11 of construction to the largest degree possible.

12 Q. And the duties and responsibilities you just
13 testified to, are those what you're performing for the
14 Gatehouse project?

15 A. That is correct.

16 Q. And do you have experience working on other
17 battery storage projects?

18 A. I do to develop utility-scale projects in
19 Illinois.

20 Q. And have you appeared before zoning boards and
21 other government bodies to discuss these projects in
22 your role as the project developer?

23 A. Yes, many times. They're just giving general
24 construction updates, you know, understanding feedback,
25 you know, from the community, and also working again

1 through the construction period and making sure that
2 everyone is on the same page.

3 Q. And is this the first time though that you've had
4 to testify under oath at a hearing?

5 A. Yes, it is.

6 Q. What responsibility did you have for this
7 Gatehouse application and for the reports that are a
8 part of the application?

9 A. I would say I had a lot of responsibility. I
10 coordinated and touched every single aspect of this
11 application. It took, as Jim said, you know, over six
12 months and coordination between dozens of experts to
13 make sure that we are meeting -- the application that
14 you see in front of you meets all ordinance requirements
15 and is submitted fully and correctly to the board.

16 ATTORNEY GRIFFIN: Mr. Kains, based upon the
17 testimony of Mr. Gorman and his resumé, which has been
18 submitted to the board, I would request that he be
19 qualified as an expert in energy project development.

20 MR. KAINS: Thank you, Mr. Griffin.

21 Mr. Keyt, do you have any voir dire, or do you
22 have any objections to Mr. Gorman testifying as an
23 expert witness in the area of project development?

24 ATTORNEY KEYT: I don't have an objection so long
25 as it's limited to the area of project development.

1 MR. KAINS: Yes. He will be admitted as an
2 expert witness with respect to the area of project
3 development and with respect to the application that has
4 been submitted to Washington County.

5 Go ahead, Mr. Griffin.

6 Q. Mr. Gorman, would you say you're the person that
7 is most familiar with this application that's been filed
8 before the board?

9 A. I would.

10 Q. And you have a presentation tonight to provide a
11 summary of the project, correct?

12 A. I do.

13 Q. Please go through your summary.

14 A. Thank you, Jim.

15 Thank you, everyone.

16 So, as Jim said, my name is Quinn. I am the lead
17 developer and project manager for the Gatehouse Energy
18 Storage Project, which is a 185-megawatt battery energy
19 storage system or BESS project that is proposed in
20 Washington County. I have a project summary I'd like to
21 put forward. I usually handle the whole meeting on my
22 own. In this case, I do have experts with me, so I will
23 do my best to keep my summary a summary which is general
24 and brief and allow my experts to be experts after the
25 fact.

1 We'll start with the first slide. So, I'll start
2 with talking about us. So, Invenergy is, I'm always
3 proud to say, an American-owned, American-operated
4 company that's headquartered here.

5 I'm sorry, gentlemen, there are copies of the
6 presentation in front of you so that you don't have to
7 turn around if you don't want to.

8 We are headquartered here in the state of
9 Illinois. Illinois is our home state. We like working
10 here, and as such, we have developed more projects in
11 Illinois than just about any other state in the country.
12 Outside of that, we have developed 27 battery energy
13 storage system projects throughout the world. Batteries
14 might be new to many people or other developers. They
15 are not new to us. We have been operating these
16 facilities since the year 2012, with specific experience
17 in four-hour duration lithium iron phosphate batteries.
18 These batteries are very important. These battery
19 projects are very important to our portfolio, and as
20 such, we have over 150 utility-scale projects in our
21 development pipeline.

22 So, I will say that the question that I have
23 received the most over the past year working through
24 this application of this project is: Quinn, why
25 Gatehouse, why battery projects, and why am I suddenly

1 hearing about, you know, these batteries more than I
2 ever have before ever, and it's -- it is a good
3 question, and the answer centers around the supply and
4 demand of electricity. So, at every point in time, the
5 available supply of electricity must meet current
6 demand. This has generally been the case here in the
7 United States. We're very good at doing that. You
8 don't hear about rolling blackouts like you do in other
9 places; however, in recent -- we're back. In recent
10 years, this has become slowly less the case. Our
11 communities are using more and more electricity, and
12 that increased use is driving up demand, and this
13 increased demand is far out placing the kind of,
14 frankly, slow increase of supply. This is a problem for
15 a couple reasons. First will be price, something that
16 we all experience. Electricity is at its most expensive
17 when there's not enough of it. When there's not enough
18 available supply of electricity, a peaker plant kicks
19 on. Those are very expensive to operate. The second is
20 a more physical impact, which is, you know, service
21 interruption, you know, partial or full blackouts. We
22 never want to guess when we flip a light switch whether
23 or not that light is going to go on. We just want to
24 know that it will. So, you know, this is a problem.
25 The State is concerned about it. As many of you know,

1 they passed an energy bill last year that encourages the
2 increased development of energy projects, and utilities
3 are concerned about it, too. Our utility partners are
4 coming to us and others like us and saying: What can
5 you do? What can you do to increase the available
6 supply of electricity now or soon, and I think the now
7 or soon is the important part here, because this is
8 where battery projects offer a unique advantage. So,
9 traditional generation projects, they're very important,
10 and they do increase supply of electricity; however,
11 they can take a long time to get on line. No matter
12 what the fuel source is, five to ten years or more, you
13 know. Batteries can come on line a lot faster. They
14 are typically much smaller. When we're talking about
15 traditional generation projects, utility-scale, we're
16 talking about hundreds or thousands or even tens of
17 thousands of acres. When we're talking about storage
18 projects, we're talking generally dozens of acres, like
19 the Gatehouse project is being presented here. So,
20 projects like Gatehouse can come on line much faster and
21 increase that supply of electricity, which again our
22 society increasingly needs.

23 So why this project? Because it's helping to
24 keep the cost low by having those batteries discharge
25 electricity during peak demands instead of going to

1 peaker plants and also strengthening grid reliability so
2 that we don't experience any service interruption like
3 blackouts.

4 And then I want to make this a highlight. For
5 the benefit of the doubt of the board, this project will
6 be NFPA 855 compliant. NFPA 855 compliance -- excuse
7 me, code, this is put out by the National Fire
8 Protection Association. It is the most stringent code,
9 safety code that applies to stationary storage battery
10 systems. This project will be designed, permitted, and
11 operated in full compliance with NFPA 855, the most
12 current version being 2026, which just came out a few
13 months ago. This project will be compliant. NFPA 855
14 has requirements of minimum setbacks of ten feet from
15 the batteries to buildings, property lines,
16 right-of-ways, and a minimum three feet of separation
17 between the individual battery enclosures. Again, I
18 have experts with me. I have, you know, the lead of our
19 engineering team, and, you know, our fire safety team.
20 They're going to speak more to this, but just to make it
21 clear, our project will exceed these recommendations --
22 not that they're recommendations, but they will exceed
23 these requirements.

24 And for those who are, you know, unfamiliar with
25 what these projects look like, on the left there is a

1 110-megawatt BESS project we recently built in Paris,
2 Wisconsin. It's about five hours north, and then
3 there's one that's a little farther of a drive, Phoenix,
4 Arizona, a 50-megawatt project. You will note the
5 storage container-like appearance of the storage
6 facilities.

7 So, talking -- zooming in to the site itself,
8 again, Gatehouse is a 185-megawatt storage project that
9 is located in northeastern Du Bois Township in
10 Washington County. I know many of you have seen this
11 map in other projects, but taking a look at the blue
12 rectangle, that is where the project will be sited. The
13 black dot in the west, that is the village of Radom,
14 which we hold a project-siting agreement. So, directly
15 below County Highway 25, about 3,000 feet south, that is
16 where the Gatehouse project is being proposed. Access
17 to the project site will be gained via Howard School
18 Road. I will talk more about roads soon, specifically
19 Howard School Road, and I would say the other question
20 that I get a lot is: Why here? Why should this project
21 -- why are you siting this project here? Two answers to
22 that. The first, you will see that purple line that is
23 bisecting the map. That is an existing 138 kV Ameren
24 transition line, and so you want to site your battery
25 projects as close to the transmission infrastructure as

1 possible for efficiency reasons, and through a private
2 landowner, we have access to that line, which I will
3 elaborate in the next slide.

4 So, in front of you is the site plan. Again,
5 there is the blue border that represents 60 acres of
6 land that is under a purchase option with a private
7 landowner. I know it's a little bit busy, but what I'm
8 trying to show here is that this project, the permanent
9 facilities within it are compliant with the County
10 setback ordinances, mainly the 200-foot setback from the
11 public right-of-way and 200-foot setback from the
12 nonparticipating parcel lines. As you can see, our
13 permanent project facilities fit within that interior.
14 Sorry, can you go back?

15 The battery enclosures are over 3,500 feet from
16 the nearest residence. That is almost exactly
17 two-thirds of a mile. When my colleagues again go
18 through and explain through NFPA 855 in more detail,
19 they'll talk about what, you know, NFPA 855 says is the
20 setback from buildings, but, again, we exceed it, and I
21 also included in there that the height of the enclosures
22 is nine and a half feet.

23 For those who are partially or fully unaware of
24 where this is and what it looks like, I've included a
25 viewpoint. This is standing from the northwest corner

1 of the property looking southeast. This is standing
2 from the west looking due east, and then standing in the
3 southwest corner looking northeast. I have attempted to
4 indicate where the closest residence is. Unfortunately
5 -- well, it's obscured due to its distance and because,
6 you know, it's behind some agricultural buildings, but
7 again two-thirds of a mile away.

8 So, looking again at the project summary, what
9 kind of facilities can you expect on site; where are
10 they? So, as I mentioned, access to the project will be
11 gained through township Howard School Road, which again
12 I will speak more to. Coming off of there, there is a
13 project access road. Immediately north of that will be
14 the project operations and maintenance building. That
15 building will be staffed by an operations and
16 maintenance manager, as well as two to three full-time
17 technicians. They will work there approximately 7:30
18 a.m. to 3:30 p.m. every day, and, you know, that O & M
19 building also acts as a place if people have questions,
20 they can give a call and come by and our staff will be
21 happy to talk to them. Directly below that is the BESS
22 yard itself. That is where the battery enclosures will
23 be sited. All the batteries will be sited within six
24 acres of that enclosed BESS yard.

25 Moving on to the right, below we have the project

1 collector substation, which -- in which the electricity
2 is charged and discharged from the batteries will enter.
3 From there, it will go to the utility switchyard, which
4 will be owned by Ameren, and then going on to the 138 kV
5 line, which I mentioned earlier, is already existing.
6 Also very important is hopefully you can all see that
7 yellow border that is circling the entire project. That
8 is our proposed vegetative screening. Our vegetative
9 screening is a mix of tall shrubs and trees that are
10 found naturally in southern Illinois. You're not going
11 to find any pollen trees out there, but we have made
12 every effort possible to cover as much of the project as
13 possible. The only places where we cannot are the
14 access road and directly underneath the transmission
15 line, as we are not permitted to plant there by the
16 utility.

17 If that's what the project looks like, what does
18 it sound like? Not much. The project will be a quiet
19 neighbor, with sound levels well below those required by
20 the county ordinance. A noise model report is included
21 in the application. The creator of that report is here
22 today, and if there are any follow-up questions, he is
23 available to answer them.

24 The project also consulted with the United States
25 Fish and Wildlife Service at a federal level and the

1 Illinois Department of Natural Resources at a state
2 level through an EcoCAT assessment, and it has confirmed
3 that there are no critical habitats or endangered
4 species within the project site.

5 One more, please. On a cultural level as well --
6 this is not required by the ordinance, but we chose to
7 do the diligence and show it any way. We consulted with
8 the State Historic Preservation office, and the
9 conclusion was there are no archeological sites that are
10 impacted by this protect.

11 Okay. Getting to roads. So, I will say this is
12 -- in front of us, we have our preliminary road use map.
13 You know, we put a lot of time into roads. As they
14 said, roads are something I work on a lot in our
15 construction -- in my construction project, and we do
16 everything we can to minimize disturbance to local
17 traffic. So, we partnered with a transportation
18 engineering group called Logisticus to create a road use
19 map for this project. They put together a couple maps.
20 The first of which, you know, we had a couple maps that
21 are routes coming through Radom and Ashley. Obviously,
22 we're not going to do that. What we've decided upon is
23 this route that we have in front of us for heavy
24 equipment haul, which starts -- you know, only four
25 roads used, Illinois 15, which is a state road. We will

1 work with the state to use that road. Two county
2 highways. County Highway 23, so coming off south of 15
3 on to County Highway 23, and then right before entering
4 Radom going east on to 25, and then once hitting Howard
5 School Road, again, that 3,000 feet on to the township
6 road. You know, I have had conversations with Kiefer at
7 the County and Andrew Brown. You know, we are all on
8 the same page that before anything happens, before any
9 amount of building takes place, a road use agreement
10 will need to be executed with both entities, and, you
11 know, I am very aware that Howard School Road
12 specifically is not in a state that is ready to be used
13 for construction. I have been up and down that road
14 dozens of times, and I cannot stress enough that we will
15 continue to work with Kiefer and with Andrew to make
16 sure that all of the due diligence that is necessary to
17 understand what is needed to make that road better for
18 construction, that will be done before the execution of
19 a road use agreement, and we cannot construct without
20 that road use agreement being executed, and, of course,
21 a road use security per the requirements of the RUA will
22 also be posted.

23 The project has also submitted a preliminary
24 emergency management plan. You know, the fire
25 department was one of the first calls I made when I

1 started talking to people down here, talking to the
2 Ashley Protection fire chief, making sure that he
3 understood what was being proposed and how -- you know,
4 what a safe response looks like for these projects. I
5 would say him and I have met over half a dozen times.
6 There's also been meetings with leads of the Nashville
7 and Irvington fire departments -- sorry, fire protection
8 districts have been there, as well as several of the
9 ambulance leagues who have attended as well.

10 Most recently earlier in the month, we held kind
11 of our first training session with these districts and
12 the ambulance district, kind of just a one on one. You
13 know, batteries, as I said, are new to a lot of people,
14 what they are in this context and what the beginnings of
15 response look like. We can continue to have many of
16 these meetings. Again, the head of our engineering will
17 speak to that more in depth, but, you know, we have
18 included this as part of the application, and I know
19 that the finalized plan that has the feedback of the --
20 you know, of the districts are not -- it's not required
21 until the building permit, which is still a ways away.
22 We really chose to have these conversations early and
23 build these relationships, so they have a copy too.
24 We've asked for feedback, no rush, but this is going to
25 be some of the people we're talking to the most in the

1 county. So -- and I believe we also have a letter of
2 support. Sorry.

3 ATTORNEY GRIFFIN: Yes, if I could interrupt,
4 Quinn. You are familiar that the Ashley Community Fire
5 Protection District Chief did submit a letter to the
6 zoning office concerning the project?

7 MR. KAINS: Are you familiar with that?

8 Q. Are you familiar with that?

9 A. Yes, I am familiar with that.

10 Q. And does the zoning board already have a copy of
11 that letter? If not, I can pass one out right now.

12 MS. RENSING: No, we have it.

13 Q. And, Quinn, the contents of that letter, is that
14 consistent with the discussions that you've had with the
15 fire chief about this project?

16 A. They are.

17 Q. Thank you. Keep going.

18 A. So, as I was saying, the preliminary plan is with
19 them for review. We look forward to a lot of
20 conversation and coordination between our engineering
21 team and our safety team on getting that to a final
22 place in advance of submitting for a building permit.

23 So, I'm going to also talk about decommissioning.
24 I do have a decommissioning expert here who did prepare
25 the plan, so I'm going to just speak generally that the

1 application does include a proposed decommissioning plan
2 which outlines the scope and methodology of safely and
3 fully dismantling and removing the project facilities,
4 returning the site to pre-construction phase. Also
5 included within there is a proposed decommissioning
6 agreement, which, again, we will negotiate with the
7 County prior to receipt of the building permit, and
8 finally, of course, a decommissioning bond, that amount
9 of money that would be identified in the plan as
10 required to -- again, the safe and total removal of all
11 facilities. That amount of money will be posted as a
12 bond independently that is successful to the County, and
13 that bond will be -- the amount of money will be taken a
14 look at every three years. If right now it's in 2026
15 dollars and the price of labor and everything else will
16 change, so that amount will be re-reviewed and
17 re-refreshed every three years.

18 And I've also included for the benefit to the
19 board, you know, a general project timeline that we are
20 assuming right now. Right now, we are in the earliest
21 stage, which is the permitting stage of the project. In
22 2027/2028, you know, we'll begin contracting the project
23 and starting construction hopefully, and then in 2029,
24 end of 2029, you know, we are looking to achieve
25 commercial operations.

1 I -- just taking a minute to talk about
2 requirements of the ordinance. I know you all know your
3 ordinance very well, so I'm not going to run through
4 each one. I just have this to show that we are aware of
5 what the requirements are. We have put a lot of time
6 and a lot of effort in to meeting all of them. I would
7 say that the ordinance in Washington County is
8 comprehensive. That has not deterred us at all. We
9 look forward to working with the County to meet every
10 single requirement that they are putting forth.

11 I mentioned earlier that the State passed an
12 energy bill last year that outlines the siting
13 requirements for BESS, a Clean and Reliable Grid
14 Affordability Act or CRGA, and, you know, that law goes
15 -- that bill goes into effect on the first. It is
16 substantially less comprehensive, I would say, than your
17 own ordinance, and you know, setbacks primarily being
18 150 feet from nonparticipating residences or community
19 buildings, 50 feet from property lines and
20 right-of-ways. Of course, requires compliance with NFPA
21 855 safety standards, which we were going to do anyway,
22 and, you know, their own amounts of permitting fees --
23 and next slide.

24 I will also end my portion of the presentation
25 with just talking a bit about our Economic Impact Report

1 that is contained within the application. So, we have
2 with us the creator of the report, who assessed that
3 over the maximum 25-year project lifespan of the project
4 over \$21.8 million in property taxes will be paid out,
5 largely to schools. I believe schools are -- would
6 benefit just over -- I'm going to say \$12 million, as
7 well as the County would also receive tax benefits, the
8 township, road and bridge, library, and more.
9 Additionally, over 200 temporary construction jobs will
10 be created through the construction of Gatehouse, as
11 well as three to four permanent on-site jobs that, you
12 know, I talked about earlier during the operations
13 phase.

14 Also included in the application is our Market
15 Value Impact Report. There is a third-party assessor --
16 who is also available here today for questions on his
17 methodology -- put together an analysis and determined
18 that the project will not have a negative impact on
19 residential or agricultural property values in the
20 surrounding area.

21 To conclude again my hopefully brief summary,
22 this project will be fully NFPA 855 compliant. It uses
23 minimal amounts of acreage. It will be very low
24 visibility and a low noise project, and again, there's
25 an estimated over \$21 million in estimated tax benefits

1 over the project lifespan. Thank you.

2 MR. KAINS: Thank you, Mr. Gorman. All right.
3 Do you have any other questions for your witness,
4 Mr. Griffin?

5 ATTORNEY GRIFFIN: I do not.

6 MR. KAINS: Okay. Very good. Time now for
7 questions. First from the attorney representing
8 Washington County's Zoning Board of Appeals.

9 Mr. Keyt, questions for Mr. Gorman regarding his
10 project overview.

11 ATTORNEY KEYT: Yeah, I do have a few questions,
12 but before we get into that, I think there was a letter
13 that is not a part of the record yet, which is the
14 letter from the fire department, which just for the
15 record, I would suggest that be marked as Exhibit
16 Number 1, probably Gatehouse Hearing Exhibit Number 1.

17 MR. KAINS: Is that all right with you,
18 Mr. Griffin?

19 ATTORNEY GRIFFIN: Yes. Thank you.

20 MR. KAINS: Okay. Exhibit 1, a letter dated
21 April 21, 2026, to Krystal Althoff, Washington County
22 Zoning Administrator from Chief Jack Boczek from the
23 Ashley Community Fire Protection District. He writes
24 that he is expressing his feelings on the proposed BESS
25 project that Invenergy has submitted a special use

1 permit application for. While the fire district does
2 not officially endorse the project, I can offer our
3 thoughts on the proposed operations and safety of the
4 project. He goes through a number of paragraphs with
5 respect to that, and he concludes by stating: I feel
6 very confident in the company keeping their promises of
7 training our responders for incidents that may occur at
8 the facility. I do support the project as an asset to
9 not only Washington County but also to the needs of our
10 future demands on the electric grid throughout the area.
11 And it is from Jack Boczek, chief of the fire protection
12 district in Ashley.

13 So, that letter will be admitted as Exhibit 1,
14 Gatehouse Exhibit 1, and it becomes part of the record
15 of this hearing, and it will be transmitted to the
16 Washington County Board for its consideration.

17 While we're on the subject of exhibits,
18 Mr. Griffin, do you want to have Mr. Keyt mark
19 Mr. Gorman's resumé or CV?

20 ATTORNEY GRIFFIN: Yes, if that could be
21 Gatehouse Exhibit Number 2.

22 MR. KAINS: Okay. Mr. Keyt, Gatehouse Exhibit 2,
23 do you have any objection?

24 ATTORNEY KEYT: No, I don't have an objection.

25 MR. KAINS: Okay. Mr. Gorman's resumé is in as

1 an exhibit as well as Exhibit 2. All right.

2 Mr. Griffin -- I'm sorry, Mr. Keyt, it's your
3 turn. Questions for this gentleman regarding his
4 project overview.

5 EXAMINATION BY ATTORNEY KEYT

6 Q. Okay. Thank you. I will try and keep this
7 categorized here. Do you have someone here to talk
8 about NFPA standard 855 or any of the NFPA standards?

9 A. Several.

10 Q. In relation to the standards from NFPA 855, just
11 so we're clear, for example, NFPA 855 has a standard of
12 ten feet to be set back from the right-of-way of the
13 property line, but the County ordinance has a setback
14 requirement of 200 feet, and your -- you will have to
15 comply with the more stringent standard, whichever that
16 is, correct?

17 A. That is correct.

18 Q. So, just by way of example -- and just an
19 example, I'm not going to go through every aspect of it,
20 but where the County's ordinance is more stringent, for
21 example, for the setbacks for the right-of-way/property
22 line, you will have to follow the more stringent
23 standard of the County, being 200 feet away, and vice
24 versa where the NFPA standard might be more stringent
25 than what the County standard is, you are agreeing to

1 follow the more stringent standards of the NFPA where
2 that might be applicable; is that fair?

3 A. Correct.

4 Q. In terms of the battery storage projects that
5 Invenergy has done whether in the midwest or elsewhere,
6 how many projects have been taken to completion and are
7 in commercial operation today?

8 A. That answer will be best answered by our storage
9 engineering lead.

10 Q. Okay. Who is that?

11 A. That is Lance.

12 Q. Okay. At this point in time, are you -- some
13 projects have been taken to completion and are in
14 commercial operation?

15 A. Yes, I shared two examples earlier in my
16 presentation.

17 Q. But in terms of details, you're deferring to
18 another witness for that?

19 A. That's correct.

20 Q. My understanding is the total acreage where the
21 battery would be located would be approximately six
22 acres, although there is approximately 60 acres that
23 Invenergy or Gatehouse Energy Storage will be purchasing
24 for this project; is that correct?

25 A. Correct.

1 Q. And then the rest of the project would be taken
2 up with an operations and maintenance shed and a
3 substation, and ultimately would be owned by Ameren; is
4 that correct?

5 A. A utility switch, correct.

6 Q. The -- just sticking with the operations and
7 maintenance facility, how many long-term jobs do you
8 anticipate being stationed there at the site?

9 A. So, as I said, we will have an operations and
10 maintenance manager, and we estimate two to three
11 full-time technicians as well to support it.

12 Q. And what would be their function at the site
13 during the day?

14 A. So, just general monitoring of the equipment,
15 making sure that everything is functioning as necessary.
16 You know, as I said earlier, I have -- I actually have,
17 you know, engineering leads with me this time, so
18 operations and maintenance topics related to the battery
19 projects I will defer to our engineering lead Lance.

20 Q. Okay. Fair enough. In terms of noise at the
21 site, I understand you're not a noise expert, but you
22 have a noise expert here; is that correct?

23 A. That is correct.

24 Q. In terms of decommissioning, I understand you
25 have a decommissioning person here that will be --

1 provide more details to the plan itself, but in terms of
2 decommissioning, you understand there's an ordinance
3 requirement that decommissioning be funded at
4 125 percent prior to the building permit being issued?

5 A. That is correct, and we will follow the
6 ordinance.

7 Q. Also within that ordinance requirement is that
8 the plan is revisited every three years; is that fair?

9 A. Correct.

10 Q. And you'll be posting whatever that funding
11 amount would be without any salvage value taken as a
12 discount; is that correct?

13 A. If that's what the County is requiring or is
14 asking for, then we will do it.

15 Q. In terms of the review, so far a review has been
16 provided -- you provided an engineer estimate of cost
17 estimates related to decommissioning. At the time you
18 begin construction, is it fair the County will then ask
19 you to update those cost estimates because it may not be
20 -- I think you have 2025 cost assessments so far. It
21 may be 2027, for example, when construction would start.
22 We would ask that those be updated; is that fair?

23 A. Yes. I will say that I believe they were most
24 recently updated in January of 2026. You know, we can
25 refresh them prior to construction to make sure that

1 they fit the year that we are beginning construction.

2 Q. And then those -- whatever the updated version
3 will be subject to the County having a third-party
4 engineer review those cost estimates; is that a fair --

5 A. That I believe we are allowed to -- you know, to
6 put forward a third-party engineer, but it must be
7 approved by the county board.

8 Q. Okay. Fair enough. All right. The term that
9 you're asking for for this particular special use is a
10 25-year term?

11 A. That is correct.

12 Q. Meaning that at the end of the 25 years,
13 Gatehouse will either decommission the project
14 completely or come back and ask for more time to extend
15 the life of the project; is that correct?

16 A. Correct. We would either need to decommission or
17 come back, you know, for a new permit, extension of the
18 permit, whatever is required by the County.

19 Q. If you're purchasing the parcel, what would
20 happen to the parcel if you do decommission the project?
21 Will you then sell the parcel, or what will you do with
22 it?

23 A. You know, I can't predict 25 years in the future.
24 We are anticipating a full decommission of the project,
25 but if Invenergy has value in keeping it, they will keep

1 it, and if, you know, there's not a plan for that land
2 at the time, then, you know, selling the property is an
3 option.

4 Q. In terms of the road use agreement that you
5 talked about, there is a requirement in the County's
6 ordinance that you have a road use agreement in place
7 before you begin the building process or construction.
8 Have you had talks with either the Township or the
9 County in relation to the roads that might be utilized?

10 A. Yes. You know, we all agreed that these are
11 preliminary talks and that, you know, further talks that
12 go beyond the proposed road use map, you know, will
13 become more necessary, more appropriate after the
14 permitting stage. I spoke to Kiefer the other day about
15 this, and he said: It's too early, you know, we'll talk
16 about it after permitting.

17 Q. And then as part of that, you understand that
18 there will be a financial assurance that will have to be
19 posted as part of the road use agreement for the County
20 and/or the Township's benefit in the event that the
21 roads are not kept, maintained, or restored back to
22 their condition; is that correct?

23 A. That's correct. We will follow the ordinance.

24 Q. In terms of the location itself, if there is --
25 by way of example, if there's transmission interference

1 with, say, people's television reception, radio,
2 whatever it might be, you would be willing to
3 investigate if that is caused by your project, and if it
4 is, correct what interference might be coming from that?

5 A. Yes. I will say I'm not aware of that being an
6 effect of our BESS sites; however, that is why we will
7 have that O & M team there so there's someone on site
8 where if there is a concern, it can be elevated to those
9 people, and we can, you know, join in investigating.

10 Q. Understood. In terms of farmland, one of the
11 concerns that people nearby may have is that this
12 property is now going to have structures on it and it
13 may impact farmland drainage on to adjacent parcels.
14 Have you taken steps to design a farmland drainage plan
15 at this point?

16 A. So, I don't believe the farmland drainage --
17 drainage plan is the correct term. We have submitted an
18 erosion and sediment control, storm water management
19 plan. The creator -- or the creator and the engineer
20 that put together that plan is here today, and, you
21 know, my take away from that report is through
22 construction of our facilities that less water would
23 actually travel to adjacent properties than actually
24 does now, and he can speak to that in greater detail --

25 Q. Okay.

1 A. -- for follow-up questions.

2 Q. In terms of details of that plan, somebody is
3 here to talk about that?

4 A. Absolutely.

5 Q. There may be -- there may be a number of potable
6 water wells, drinking water wells that are nearby.
7 People may have a concern about those water wells, as
8 you can understand, right? In terms of those water
9 wells, are you willing to perform testing for those
10 wells and make sure that there isn't anything leaching
11 or particulates that may be leaching into the ground
12 water?

13 A. Would you mind elaborating on these tests? And,
14 correct, I'm not aware of any wells on site, for
15 example.

16 Q. Okay. So, on the actual parcel is not what I'm
17 talking about, but, if you know, are there any wells on
18 the site?

19 A. To my knowledge, there are not. To the
20 landowner's knowledge, there are not.

21 Q. In terms of wells on adjacent or nearby
22 properties that may be nearby, you're willing to do
23 baseline testing to make sure that later on there is not
24 any sort of contamination of those wells; is that fair?

25 A. I think the one thing we'd want to understand is,

1 you know, if there was something, a contamination
2 happening, how it could be, you know, traced back to the
3 project. As our engineers and our fire safety experts
4 will talk through this NFPA 855-compliant project which
5 uses lithium iron phosphate batteries -- again, I will
6 explain why that's important. There are no heavy metals
7 associated within our facilities, and there are not
8 contaminants that come from, you know, these -- from our
9 facilities as a result of operation or even as a result
10 of, you know, there being a safety event on the project.
11 So, you know, we -- I think what you're hearing, it
12 sounds like there's a sensitivity in wanting to make
13 sure, you know, everything, you know, around the project
14 remains un-impacted, and we will demonstrate that
15 through the testimony of our engineer and our fire
16 safety expert.

17 Q. Okay. So, if I'm understanding your testimony
18 correctly, you're -- what you're, I think, trying to
19 describe to the zoning board is that from what you think
20 or believe that there won't be a contamination from the
21 site into anybody's adjacent water well; is that what
22 you're trying to say?

23 A. Yes, and their testimony will refer back to
24 studies and examples from other sites where this has not
25 been identified as well, but I will --

1 Q. So, it would seem reasonable that you would be
2 willing to make sure that that doesn't happen by testing
3 since you're confident it won't happen. Is that fair?

4 ATTORNEY GRIFFIN: Mr. Keyt, if you don't mind me
5 interrupting, I know you're in the middle of
6 cross-examination. On behalf of the project, you know,
7 to the extent there's a reasonable condition that does
8 require some testing -- although we're not expecting
9 that, because, you know, this project simply doesn't
10 contain the type of materials that will cause that -- we
11 would be willing to abide by a condition imposed by the
12 County.

13 Q. Understood. That will shortcut that part. The
14 project itself will be required to have a project labor
15 agreement. Contractors will have to have project labor
16 agreements?

17 A. Yes, that's correct.

18 Q. Have you -- have those project labor agreements
19 been entered into yet?

20 A. No, that would happen after permitting, much
21 closer to construction.

22 Q. In terms of -- in terms of the storm water and
23 erosion control, I think you were relating that to be
24 the farmland drainage plan, and you're deferring that
25 issue to someone else?

1 A. You know, I'm not the expert, so I cannot say
2 those two terms are interchangeable or are the same.
3 I'm just speaking to what we have presented and
4 acknowledging there was someone here who can speak more
5 expertly than I as to the civil design and the way that
6 water will flow through the project through its
7 construction and operating phase.

8 Q. In terms of the actual makeup of the batteries,
9 essentially the type of batteries they are, are you the
10 person to ask, or is it someone else on the team?

11 A. That would be our engineering lead.

12 Q. And who is that?

13 A. That is Lance.

14 Q. Lance again. Fair enough.

15 A. That's the engineer.

16 Q. In terms of the project timeline, can you speak
17 to the project timeline at all, like what is the
18 timeline for construction anticipated to begin, how long
19 will the construction last, and just sort of a staging
20 of it?

21 A. Sure. I can speak broadly, as large construction
22 projects, you know, do tend to shift both left and
23 right. Do you mind bringing up that slide again? So
24 once again, we are right now in the permitting phase.
25 You know, we are applying now, having the hearing for a

1 special use permit application and would -- you know,
2 this is all tentative. Applying for a building permit
3 at the end of the year, and taking the year 2027 to, you
4 know, identify an off taker for the energy; start, you
5 know, working to identify a builder for the project.
6 Getting to the heavy design phases. A lot of design
7 phases we have to go through and working with the
8 customer to make sure that again, you know, we're all on
9 the same page. You know, from the start of construction
10 anticipated in, you know, the year -- maybe middle of
11 the year 2028. It takes about 10 to 12 months to build
12 a site of this size, and then several months of very,
13 very stringent testing, and then we are, you know,
14 hoping to meet our operation -- our commercial
15 operations goal at the end of 2029.

16 Q. In terms of the compliance, there's a number of
17 standards that may apply to the project; is that your
18 understanding as well? For example, there may be a
19 number of NFPA or National Fire Protection Association
20 standards, maybe UL standards. There may be
21 International Fire Code standards. In terms of -- you
22 understand that those standards are out there and that
23 you're going to have to comply with those standards?

24 A. That's correct.

25 Q. The -- and you can -- Mr. Griffin can jump in

1 here and interrupt me, but in terms of the National Fire
2 Protection Association standards, those would be NFPA
3 855, NFPA 68, NFPA 70, NFPA 72, and then the UL
4 standards would be UL 1973, UL 9540, UL 9540A, and then
5 the International Fire Code. If the project were to be
6 approved -- and we're not at that stage yet -- but if
7 the project were to be approved, those would be
8 conditions or standards of approval over and above what
9 is already listed in ordinance as well. Do you
10 understand that?

11 A. Yes.

12 Q. Okay. With that --

13 A. We want to build as safe a project as possible.

14 Q. Also, that would include any successor standards
15 that may come into effect?

16 A. Yes.

17 ATTORNEY KEYT: I do have other questions, but I
18 think they're on topics specific to various areas that
19 we kind of touched on before. With that, I don't have
20 any further questions.

21 MR. KAINS: All right. Very good. Thank you,
22 Mr. Keyt.

23 All right. The next questions come from members
24 of the Washington County Zoning Board of Appeals. Any
25 questions from members of the ZBA? I think Mr. Keyt

1 thoroughly covered almost everything.

2 Do you want to grab that mic, Devin? Mr. Clary.

3 EXAMINATION BY THE ZBA

4 MR. CLARY: Is the property purchased yet, or is
5 that contingent on -- contingent on if this goes through
6 or not?

7 A. The property is not yet -- we have not executed
8 the purchase option. We would do that after the
9 permitting stage.

10 MR. MULHOLLAND: Is there any plans of you
11 selling this property after you get it constructed for
12 somebody else to operate, or do you plan to operate this
13 yourselves?

14 A. So, that decision has not yet been made. We have
15 not marketed this project. That typically happens again
16 after the permitting stage. You know, we cannot predict
17 what will happen at that time. We do have options.
18 That being said, Invenergy is many times over capable of
19 operating this site should we choose to do that.

20 MR. MULHOLLAND: What's happened in your other
21 facilities?

22 A. I would say in our other projects what is most
23 typical is we sell to a qualified customer, that being a
24 utility. Ameren Illinois has purchased the last two of
25 my larger projects.

1 MR. CHWASCZINSKI: Okay. I have a few questions,
2 Quinn. Okay. Can you hear me now? No, I don't think
3 so.

4 You mentioned improvements to the road. That
5 road will have to be wider. Would that be generally
6 accepted?

7 A. So, again -- so, as I did mention, yes, like
8 improvements will need to be made clearly to Howard
9 School Road. The specific scope of those, as I said,
10 are not yet known. We know they do exist, and that will
11 be a continuing conversation between the projects, our
12 engineering leads, and, you know, the road commissioners
13 of the entire -- whether it be the township -- in this
14 case, it would be the township. Fully committed to
15 properly going through what exactly is needed there,
16 although that exact scope is not known today.

17 MR. CHWASCZINSKI: Okay, but you would agree
18 common sense would say that road would have to be wider?

19 A. I can't say. I would think so, but --

20 MR. CHWASCZINSKI: Okay. Next question. This is
21 a storage place for excess electricity. At the present
22 time, where is that excess electricity going?

23 A. So, I would defer that question to our
24 engineering lead. I can give you like a 100-level
25 answer, but he can just do it better. I'm going to give

1 that to him.

2 MR. CHWASCZINSKI: Okay. We'll get that later
3 then.

4 A. Yes. Yes, you will.

5 MR. CHWASCZINSKI: Okay. Then one more question.
6 Actually, a couple more. Undoubtedly, this electricity
7 that you're going to store is probably going to be used
8 in a metropolitan area; is that a fair assumption?

9 A. I really couldn't say. That would be the
10 function of the utility. I don't know, and I don't have
11 any direction over that, how Ameren would choose to
12 direct that. They -- it would send it where it needs to
13 go, I guess.

14 MR. CHWASCZINSKI: You explained why you picked
15 this area, and what I'm picking at is does it not make
16 more sense to put it in an area closer to where it will
17 be utilized?

18 A. Well --

19 MR. CHWASCZINSKI: Can you answer that question?

20 A. Respectfully, we believe this project is sited
21 very appropriately. You know, the ground
22 characteristics are good. It has close -- close --
23 excuse me. Close proximity to existing infrastructure.
24 You know, we believe that this is exactly where a
25 project like this is best sited. We -- again, the

1 utility decides where that electricity goes. I don't
2 know if we can assume it will go to any one place.

3 MR. CHWASCZINSKI: Okay. I can understand that.
4 Just one last comment. I think you said that the State
5 of Illinois is in desperate need of more electricity and
6 some of this stuff that's going on currently is to
7 answer that, but on the other hand, the Baldwin power
8 plant is shut down completely, so that's just a comment.
9 I don't expect you to say anything to that.

10 MR. KAINS: All right. Thank you, Mr.
11 Chwasczinski.

12 Yeah, Mr. Gogolek.

13 MR. GOGOLEK: On one thing, have any existing
14 battery sites overheated or had fires that yours(sic.)
15 had installed?

16 A. If you're asking about Invenergy projects
17 specifically, there was one site in La Salle County
18 called Grand Ridge, where in the year 2021, there was a
19 fire at the site, and it was responded to by the
20 operations and maintenance staff, who alerted the local
21 fire protection district. They did exactly what the
22 emergency management plan that we coordinated with them
23 said to do, which is arrive on site, they monitored the
24 site as the fire burned out. They did not need to take
25 any action. The fire self-extinguished, which is what,

1 you know, they are designed to do. Again, our
2 engineering team and our fire safety team will speak to
3 exactly why that is the case. You know, once it was
4 out, they left without again performing any activity,
5 and the project resumed operation shortly thereafter.

6 MR. GOGOLEK: Was there any toxic chemicals
7 emitted from this?

8 A. No. Actually, you know, the EPA, we brought them
9 out, because, again, we are very sure in ourselves. We
10 like to do safety first. You know, asked them to
11 analyze the water and the soil. They did so and found
12 no contamination.

13 MR. GOGOLEK: Even in the air?

14 A. I will defer the question to the air to the
15 engineering team, not because they did, just because I
16 don't know if they tested the air.

17 MR. GOGOLEK: Oh, well, that seems to be pretty
18 important if you have batteries that are --

19 A. I'm not -- I agree with you. It is important to
20 test. I just don't know if they did it what the results
21 are, so I'm going to hand that question.

22 MR. GOGOLEK: Do you have someone here that does
23 know about that?

24 A. Yes.

25 MR. GOGOLEK: Okay, so I'll wait on that

1 question. Okay. And you're putting these facilities in
2 rural areas, and I've pretty well figured out that they
3 have a solar farm that they're proposing in the future
4 just about three-quarters of mile from there. Is that
5 the main reason this battery storage is going in to
6 store this energy from these solar panels?

7 A. To specify your question, are you saying we are
8 developing that or a different company is building that?

9 MR. GOGOLEK: It might be a different company,
10 but you(sic.) weren't notified that there's going to be
11 a solar farm proposal?

12 A. I don't know who that project is. They are not
13 related to us. They cannot just come in and
14 interconnect to our substation. That is a process that
15 takes a really long time of study and working with those
16 groups that I told you about, you know, the utility and
17 MISO. That project is not related to us, and I don't
18 know what it is, and no, it will not be connected to
19 our --

20 MR. GOGOLEK: Is there anyone at your table that
21 would know that?

22 A. We can ask them, but I believe that their answer
23 will be the same.

24 MR. GOGOLEK: Okay. All right. And let's see --
25 that's all I have for now.

1 MR. KAINS: All right. Thank you, Mr. Gogolek.

2 Any other questions from members of the zoning
3 board? Mr. Clary.

4 MR. CLARY: In regards to the project
5 construction, will you -- will you utilize any local
6 contractors or any local unions?

7 A. We -- as mentioned earlier, there will be a labor
8 agreement in place for this project, and we do our best
9 in our projects, we like to use local laborers as often
10 as possible, that makes the most amount of sense. So,
11 that is something we always try to do to the maximum
12 extent possible.

13 Q. Okay. Have you guys ever operated with a
14 Tri-Trade agreement?

15 A. I know that exists for solar and does not exist
16 for wind. So, when we do build solar in Illinois, you
17 know, we go by the Tri-Trade. I cannot speak to BESS,
18 because that agreement does not exist.

19 MR. KAINS: Mr. Borrenpohl.

20 MR. BORRENPOHL: Yes, my name is Luke Borrenpohl.
21 I sit here on the zoning board. We have a lot of
22 residents here in the county that are here tonight.
23 Beings that you're the developer lead; is that correct?

24 A. That's correct.

25 MR. BORRENPOHL: Could you explain to the zoning

1 board what exactly makes this parcel ideal for this
2 construction?

3 A. So, this parcel, as I mentioned earlier, has the
4 intersection of the Ameren transmission line, with which
5 we have been granted approval to use and to connect our
6 storage facilities to the larger grid, and as -- also,
7 we have land access. So, this is the parcel we have
8 land access to. So, for those two reasons, it's the
9 best -- the most appropriate place to site our
10 facilities.

11 MR. BORRENPOHL: So, it's based on land access
12 and the transmission lines, and there's nothing else
13 that makes this ideal as far as getting this power out
14 to the customer or to the utility company or anything
15 like that? Help us learn here a little bit why exactly.
16 There's got to be a little bit more than just two
17 reasons for that parcel.

18 A. Those are the two major reasons. After the
19 permitting process, we'll make sure that the ground is
20 engineered suitably to host these facilities, but those
21 are the two major reasons, yes.

22 MR. BORRENPOHL: Okay, and then for the
23 neighboring properties, can you explain property value
24 and how you assess that, and how will that maintain
25 their current value or make it worth more?

1 A. I will make sure that question gets answered. We
2 do have the appraiser that put together that report. He
3 would be able to speak in full detail in how that
4 determination was made.

5 MR. BORRENPOHL: You stated earlier that -- and
6 this is just for clarity -- that these battery storage
7 units help keep the price of electricity down. So, are
8 you stating that the electricity will go down for the
9 neighbors, or are you saying in the future the price of
10 electricity will maintain?

11 A. They help to do it, as many as things do. As I
12 said, like when the peaker plants go on, electricity
13 prices shoot up, and by having these facilities, it
14 helps to limit their use and their need, you know,
15 ideally keeping, you know, the cost of electricity down
16 to the rate that it is.

17 MR. BORRENPOHL: I have other questions, but I
18 think with your team, they would probably be more
19 appropriate.

20 MR. KAINS: Go ahead, Mr. Schneider.

21 MR. SCHNEIDER: Yeah, Bruce Schneider. Do you
22 have a -- were you lead in the solar field or solar in
23 Boomtown?

24 A. Yes.

25 MR. SCHNEIDER: Okay. So, approximately that

1 project is a little bit smaller than what this battery
2 storage is; is that correct, 150 versus 185?

3 A. In capacity, yes, and for clarity, I became the
4 developer during the construction phase of Boomtown, so
5 I won't speak to its early development history.

6 MR. SCHNEIDER: And that's strictly solar,
7 correct?

8 A. Yes.

9 MR. SCHNEIDER: And do you have battery storage
10 there?

11 A. We do not. That project is now owned and
12 operated by Ameren. So, if they wanted to add storage,
13 they would need -- it's an Ameren project now.

14 MR. SCHNEIDER: Is it close to one of their major
15 lines?

16 A. Yeah, there is a Gen-Tie line that connects it to
17 an Ameren-owned line.

18 MR. SCHNEIDER: Do you have options for solar
19 farms in Jefferson County?

20 A. So, we do have -- I think -- I know that there's
21 a few people in the audience with which we hold solar
22 agreements. We have been developing a solar project
23 within the area since the year 2019. We are -- you
24 know, that project is ongoing. You know, the priority
25 right now is the storage -- sorry, the storage project

1 that you have in front of you.

2 MR. SCHNEIDER: And is the storage facility close
3 to those proposed properties?

4 A. Proposed, yes. We do not have full land control
5 for that project.

6 MR. SCHNEIDER: So, in the future, you could
7 possibly use this storage facility also for your solar
8 field?

9 A. So, if we took the intersection queue position we
10 had for the solar and fuel switched it to the storage,
11 so we won't be able to use that for the solar anymore.
12 So to do so, we would have to go get a new queue
13 position, have it studied, and then apply for new
14 permits again with this board.

15 MR. SCHNEIDER: When you say "queue position",
16 that means a queue in the line to see if you can get on
17 to the main lines, correct?

18 A. Yes, correct.

19 MR. SCHNEIDER: The economics of battery storage,
20 when you take the excess electricity off, you do not
21 retain 100 percent of that; is that correct?

22 A. If we're talking about the efficiency through the
23 transfer, I will have to ask my engineering lead to talk
24 about how exactly that works.

25 MR. SCHNEIDER: Okay. I guess I'll have the

1 other questions for the other experts.

2 MR. KAINS: Very good. Thank you, Mr. Schneider.

3 Any other questions?

4 MS. RENSING: I have one question.

5 MR. KAINS: Ms. Rensing.

6 MS. RENSING: You had spoke several times of the
7 local economy, and with construction, when you go into
8 this trade agreement, are you going to pay prevailing
9 wage?

10 A. Yes.

11 MS. RENSING: Thank you.

12 MR. KAINS: Very good. Thank you.

13 Any other questions for members of the zoning
14 board?

15 All right. Very good. Questions from township
16 officials or school board officials.

17 Questions from licensed attorneys who may be
18 representing individuals.

19 Time now --

20 MR EPPLIN: Does a trustee count as a township
21 official?

22 MR. KAINS: Township trustee, yes, sir. Could
23 you please -- Andy, can you -- take the microphone from
24 this gentleman over here.

25 A. My name is Fred --

1 ATTORNEY KEYT: Here you go, sir. Let me turn it
2 on.

3 MR. EPPLIN: My name is Fred Epplin.

4 MR. KAINS: How do you spell your last name, sir?

5 MR. EPPLIN: E-P-P-L-I-N.

6 MR. KAINS: Very good. Go ahead with your
7 questions for Mr. Gorman.

8 MR. EPPLIN: Okay. I'm a trustee for Du Bois
9 Township. Obviously, I look out for the best interests
10 of the taxpayers of Du Bois Township. I guess my first
11 question is, the Washington County Board is going to
12 make a decision on this, but nobody is going to be
13 there. Where are they going to get their information
14 from?

15 ATTORNEY KEYT: I'm not sure I understood that
16 question.

17 MR. KAINS: Where is the county board going to
18 get the information from?

19 MR. EPPLIN: You stated earlier that the county
20 board will have a meeting and there will be nobody
21 present as far as township people. Where are they going
22 to get their information from?

23 MR. KAINS: Okay, Mr. Epplin, there can be people
24 present, but there won't be any testimony at that
25 hearing. This is the hearing where there's testimony

1 from the developer and from opponents, any other folks
2 who have an interest in this, and the county board will
3 have a transcript provided of everything that is said in
4 this meeting. So, when you ask where is the county
5 board going to get the information, it would be from
6 this meeting, the transcript that they can read from
7 this meeting.

8 MR. EPPLIN: Okay. Thank you.

9 MR. KAINS: Sure. And by the way, Mr. Epplin,
10 there are a number of county board members present with
11 us observing this.

12 ATTORNEY KEYT: Mr. Kains, can I clarify one
13 thing just so everybody understands it?

14 MR. KAINS: Yeah.

15 ATTORNEY KEYT: So, just so everybody
16 understands, under the Illinois Counties Code, the State
17 requires us to hold a public hearing for a special use.
18 So, the role of the zoning board of appeals is to hold
19 the public hearing, take the evidence, all of the
20 evidence, then make a recommendation to the county
21 board. That recommendation is then forwarded to the
22 county board in the form of written findings of fact.
23 They also would have available a transcript of the
24 proceeding and any of the records as part of it. And
25 then that county board meeting is a public meeting just

1 like every other public meeting, and there's a notice
2 provided for that. Anybody can come in and make public
3 comment, it's just that this is the forum for testimony
4 to be heard and for the ZBA then to make that
5 recommendation to the county board.

6 MR. EPPLIN: Okay. So it's testimonial. Okay.
7 Now, my next question is Washington County has a use of
8 public roads agreement here in their -- your ordinance,
9 your zoning board ordinance. You're being asked to make
10 a decision tonight, but there's like 12 items on that.
11 On page 12 of 21, section 5, you've got 12 items on
12 there that I would think you'd want detailed information
13 as to what the hell is going on. I haven't heard
14 anything, unless more people is going to testify here,
15 because a lot of our residents are concerned about the
16 roads, what's going to be done to it. You know, talk is
17 cheap. I'd like to see stuff in writing. If I was
18 making a decision tonight, I wouldn't make it on talk, I
19 would want to see facts and figures.

20 ATTORNEY KEYT: I can address that.

21 In terms of road use agreements, so the
22 requirement -- there's a number of requirements in the
23 ordinance in relation to road use agreements. The
24 primary one is that before they enter into -- or before
25 they get to -- before they can start construction of the

1 project, there would be a building permit for the
2 project. They have to have a signed, executed road use
3 agreement with each road authority that has a road
4 that's going to be utilized for the construction
5 process. So, yeah, the township and, for example, the
6 county and the township may have -- and the state -- all
7 may have roads that may be impacted by the construction
8 related to the project. The township and the county
9 then before they could get a building permit, they have
10 to have in hand an executed road use agreement. So,
11 they will -- the developer will have to sit down with
12 both the county and the township and negotiate a road
13 use agreement that would apply before they could start
14 doing anything in relation to that. This process right
15 now is the special use permit hearing. It's the first
16 step that they have to go through in order to get to the
17 stage before they can apply for a building permit. This
18 is not the building permit part.

19 MR. EPPLIN: I understand. You're asking these
20 gentlemen to make a decision tonight, and I don't think
21 they have all the information available.

22 ATTORNEY KEYT: Yeah. I understand what you're
23 -- I understand where you're coming from. It's just the
24 road use agreement covers the roads at issue.

25 MR. EPPLIN: So, we're relying on somebody coming

1 up with this road use agreement they're going to be
2 acceptable with?

3 ATTORNEY KEYT: Typically, the road use agreement
4 is a negotiated agreement between the public bodies that
5 might be impacted and the developer. So, the public
6 body has discretion on what that road use agreement is
7 going to read as because they have to approve it.

8 MR. EPPLIN: Okay. Now, it's my understanding
9 that they will have 200 employees out there. When they
10 get off, who is going to be traffic control in the area?
11 Who is going to answer these type of questions? Who is
12 going to take care of the dust control? You know,
13 that's the information the public needs to be aware of
14 and the zoning board and Washington County Board. 200
15 employees leaving at once out there, what about during
16 farming season? How are they going to -- are you going
17 to have traffic control, and there's only one way in and
18 one way out like per your drawing.

19 ATTORNEY KEYT: I think if you have a question
20 for Mr. Gorman -- I could probably talk to you during a
21 break about some of those things.

22 MR. EPPLIN: I want -- the residents need to hear
23 it, taxpayers.

24 ATTORNEY KEYT: The aspect of road use agreements
25 is typically a pretty lengthy process of sitting down

1 and negotiating all of the aspects of how the roads are
2 going to be utilized. Some of that -- just by way of
3 example, dust control. If the project were to be
4 approved, they would have to have a dust control plan.
5 Another aspect in a road use agreement is typically
6 there are provisions within the road use agreements that
7 dictate out, well, how dust control would be handled.
8 So, by another example, typically in a road use
9 agreement -- which would be required if it's approved.
10 Typically, in a road use agreement, there dictates how
11 traffic control is going to take place. Normally, that
12 references back to the Illinois Manual on Uniform
13 Traffic Control Devices.

14 MR. EPPLIN: We're talking rural area here. We
15 have tractors, combines, and everything involved.

16 ATTORNEY KEYT: Correct. And so typically those
17 items are spelled out in the context of that road use
18 agreement. So, we don't do those road use agreements
19 now because we don't know if they're going to get
20 approved, but the roads use agreement itself will spell
21 out everything from when the -- when the utilization of
22 the roads, who can utilize the roads, what traffic they
23 have to yield to, for example, agricultural traffic.
24 They have to yield to agricultural traffic, bus traffic,
25 normal vehicular traffic. Things like dust control,

1 items like manual -- how traffic control on the roads is
2 going to be utilized and how that's going to work is all
3 spelled out within the context of a road use agreement.
4 On a project of this size, typically the road use
5 agreements are somewhere in the length of 50 to
6 60 pages.

7 MR. KAINS: Mr. Keyt, in your experience
8 representing other counties in the state of Illinois, in
9 drafting -- have you drafted these road use agreements?

10 ATTORNEY KEYT: Yes, for sure.

11 MR. KAINS: And in drafting and negotiating these
12 road use agreements, are all the issues that Mr. Epplin
13 has asked about, are they covered, and is the developer
14 required to adhere to those as part of the roads use
15 agreement?

16 ATTORNEY KEYT: Correct. So, as part and parcel
17 of compliance with the ordinance, they have to comply
18 with the road use agreement.

19 MR. KAINS: So, what you're saying is the road
20 use agreement will require a developer to adhere to all
21 of the concerns of the township road commissioners, the
22 county highway engineer, and if IDOT is involved, it
23 would have to adhere to IDOT's requirement; is that
24 correct?

25 ATTORNEY KEYT: Correct, and typically in the

1 negotiation process -- not typically. Always in the
2 negotiation process, for the township side, you have the
3 road commissioner involved. The road commissioner is
4 involved in the negotiation of that agreement.

5 MR. KAINS: And that's -- go ahead.

6 ATTORNEY KEYT: Sorry. On the county side, the
7 county engineer is involved. Occasionally, what happens
8 is -- which would likely be the scenario here -- the
9 county engineer and the township road commissioner
10 typically then retain a third-party engineer consultant
11 to evaluate the road condition at present, then make
12 recommendations as to what should be included not only
13 within the road use agreement but also what type of, you
14 know, construction methodology, everything from, you
15 know, the pavement design all the way down to culvert
16 sizes and type of culvert are all spelled out in the
17 road use agreement.

18 MR. EPPLIN: That was going to be my next
19 question. If there was going to third party involved
20 with a civil engineering group.

21 ATTORNEY KEYT: Typically, there's a third-party
22 engineer that's retained for specifically the county
23 and/or the townships that then is at the table and
24 providing advice based on: This is the design in the
25 road; this is what we recommend. It's not just the

1 developer comes in and says: Here's what we're going to
2 do. That's not how it works.

3 MR. EPPLIN: And then who pays for that service?

4 ATTORNEY KEYT: The developer has to.

5 MR. EPPLIN: The developer does. I think good
6 information you passed on. Now, these gentleman have
7 more information about how this is going to take place.
8 So, when our road commissioner comes up with his ideas
9 what we want this road to be made like, then they have
10 to comply with that.

11 MR. KAINS: Very good, Mr. Epplin. Thank you.
12 Do you have any additional questions for this gentleman?

13 MR. MULHOLLAND: No.

14 MR. KAINS: Okay. Very good. All right,
15 Mr. Epplin. Thank you.

16 MR. KAINS: Questions from any township officials
17 or school districts officials.

18 Licensed attorneys. I already asked that.

19 All right. Members of the public.

20 Now, it's time for questions for this witness
21 regarding his testimony, and I'm going to have folks who
22 are either opposed to the project or neutral on the
23 project. If you're in favor of the project, this
24 witness is in favor of the project as well, and that's
25 called same side or friendly cross-examination, and

1 that's not something we allow in a public hearing. So,
2 only folks who are opposed or neutral on the issue. We
3 can have them come forward and ask questions.

4 So, may I just see a show of hands on this side
5 who wants to ask questions? Okay. These two ladies.
6 All right. First, the lady in the white. Please come
7 forward, and you can grab Mr. Keyt's microphone -- or
8 Mr. Schneider has it.

9 ATTORNEY KEYT: Hey, Scott, you know what might
10 help is if we put a table and a chair right there, do
11 you think that would be more conducive, that way they
12 don't have to share the microphone?

13 MR. KAINS: Yeah, that would be great.

14 That way you have room to put your paperwork and
15 notes and things like that.

16 Good evening, ma'am. Could you please state your
17 name for the court reporter?

18 MS. KUJAWA: Mary Ann Kujawa, K-U-J-A-W-A.

19 MR. KAINS: How are you tonight, Ms. Kujawa?

20 MS. KUJAWA: It's a little warm in here.

21 MR. KAINS: It is. I remember you from the last
22 hearing.

23 MS. KUJAWA: That's right.

24 MR. KAINS: You can ask questions of Mr. Gorman
25 regarding his presentation, please.

1 MS. KUJAWA: When he talked about the pollution,
2 you didn't mention --

3 MR. KAINS: Hold the mic closer.

4 MS. KUJAWA: You didn't mention light pollution.
5 There will be lights on 24/7, correct, at the facility?

6 A. I did not mention light pollution because, to my
7 knowledge, light pollution is not something that's
8 measured by the EPA. That being said, there is a
9 requirement in the ordinance within the battery storage
10 ordinance that requires that the project adhere to the
11 policies recommended by the Dark-Sky Association. I do
12 not have an intimate knowledge of what those
13 recommendations are, but we have agreed to all of them.

14 MS. KUJAWA: Okay. Back to the -- back to the
15 roads situation. You mentioned these three roads.
16 There's more than three roads in that area. You have
17 Radom Road, which will come off -- you come off of it to
18 go to Highway 23, and then to Highway 24 -- or 25. Then
19 you go to Howard School Road. Now, unless you make that
20 a four-lane to turn your semis around, you're going to
21 have to go further south to North Dakota Road, and what
22 are you going to do for that road then?

23 A. So, this is a preliminary road use map. I will
24 start with that. If we need to make improvements to the
25 roads as we talked about, including increasing a turning

1 radius so that, you know, a truck can take heavy
2 equipment down that, that is something that will be
3 identified as part of the road use agreement
4 negotiations, and again, I will say that the road use
5 negotiations are typically parts of the project where we
6 listen the most and talk the least. You guys know the
7 roads better than us. You're able to tell us, you know,
8 a lot of history about the roads we can't find, so, you
9 know, this is a very, very long -- as Mr. Keyt
10 indicated -- extended process, where we negotiate and do
11 a lot of listening to make sure that we are working with
12 the township, with the county, not against, to make sure
13 that the roads are clearly identify which roads are
14 being identified and make sure they are going to be used
15 safely with deference to local traffic.

16 MS. KUJAWA: Okay. My next thing is about you
17 showed a picture of the lithium battery storage. Okay.
18 You didn't tell us the exact dimensions of that. You
19 said they would be separated by -- did you say three
20 feet?

21 A. Is there more to your question?

22 MS. KUJAWA: You said they were separated by
23 three feet, but what I want to know is how many of those
24 batteries are going to be on that facility?

25 A. So, just for clarity, what I said was that NFPA

1 855 recommends separation of three feet and that we in
2 our design exceed that recommendation. I also did
3 mention that the height of these enclosures is nine and
4 a half feet. I can estimate the other dimensions, but I
5 would rather be specific with our answers, so I will
6 have Lance answer the remaining dimensions there. I
7 believe there's one more question that you have. I'm
8 sorry.

9 MS. KUJAWA: I wanted to know the dimensions of
10 it.

11 A. So nine and a half feet. The remaining
12 dimensions can be confirmed by Lance.

13 MS. KUJAWA: Okay. You said the one -- when you
14 started out, you said it was a lithium phosphate
15 battery.

16 A. That's correct.

17 MS. KUJAWA: Then later you said it was lithium
18 iron?

19 A. So, a lithium iron is a family of chemistry, and
20 lithium iron phosphate falls within that family. Again,
21 I leave the chemistry to the engineers, but just to
22 clarify my statements, so it is a lithium iron battery,
23 specifically lithium iron phosphate.

24 MS. KUJAWA: Lithium iron phosphate battery.

25 A. Yes.

1 MS. KUJAWA: So, we could look this up to know
2 when we're going to get cancer in 25 years?

3 A. You are absolutely -- you can look up lithium
4 iron phosphate batteries. Why we use lithium iron
5 phosphate batteries is they are considered to be the
6 safest for operations in long-term energy duration and
7 human impact. They have no heavy metals associated with
8 them, and our engineering team will speak and our
9 battery -- excuse me, battery fire safety team will
10 speak to, you know, why these -- why these batteries
11 specifically are chosen over other chemistries with
12 these projects.

13 MS. KUJAWA: What about you're all about safety,
14 but just recently in our area we had a car battery that
15 was for a hybrid car, and once it started, it burned the
16 whole salvage yard, so is that battery the same as
17 these?

18 A. They're not, no. EV batteries use a nickel
19 manganese cobalt battery, which is different. We use
20 lithium iron phosphate, because, again, it has the --
21 well, let's be specific, but the safest for our use and
22 it is not the same type of battery that are used for
23 EVs, and Lance can elaborate on those two types of
24 batteries. We only use lithium iron batteries, and we
25 only use them at NFPA 855-compliant sites.

1 MS. KUJAWA: Okay. You talked about the site
2 that you -- can everybody hear me?

3 UNIDENTIFIED SPEAKER: Barely.

4 MR. KAINS: Ms. Kujawa, you almost have to stare
5 at it.

6 MS. KUJAWA: There we go. You talked about why
7 you chose that site. Did you consider the environment
8 around there? There is a farming industry that is right
9 there, and it's going to impact a lot on that farming
10 industry there. We are a farming/agricultural county,
11 so it's going to affect all of our land around there.
12 So, what consideration did you take for that farming
13 industry that's right there? Do you know there was a
14 farming industry there?

15 A. I am aware that there's farming happening around
16 the parcel. If you could be more specific when you're
17 speaking about the impact, I think I can answer your
18 question better.

19 MS. KUJAWA: Okay. When the building is being
20 done, there's going to be a lot of traffic/noise. What
21 do you think it's going to do to those cattle that are
22 going to be in plain -- there to be fed and to be sold?
23 It's going to cut their weight gain down.

24 A. So --

25 MS. KUJAWA: And when we have crops in the field,

1 if we have a fire -- if you have like in June when the
2 wheat is to be combined, you have any sort of a fire,
3 the wheat field will go just like a snap. In the fall,
4 it will be corn and beans. When they are dry, it will
5 be the same thing then. So, why didn't you consider
6 another place that was more commercial than in this
7 agricultural spot, and Jefferson County is only one mile
8 more to the east.

9 A. Okay. So, a couple questions there, and I
10 believe actually more than a few of them have kind of
11 overlapped with what we were just talking about with the
12 roads. So, I believe you raised concerns about noise
13 and impact of traffic during construction. So, as we
14 have been discussing, you know, there is going to be
15 lots of, you know, regulations put forth in place by the
16 road use agreement, but not just the roads, how we use
17 them, how often trucks are going down. We're not going
18 to have lines of trucks going up and down 24 hours a
19 day. Mr. Keyt referred to traffic control, and I can
20 say on my projects, of course we have traffic control.
21 They are the -- you know, some of the most -- they don't
22 have a lot of sense of humor, and when we work with our
23 contractors, if our contractors do not follow the very
24 stringent rules that we have for the road and projects
25 that we use, they're off the site. We make sure that we

1 are using these roads in a way that conforms to the
2 agricultural, you know, setting that we are developing
3 our project in. You spoke to -- I just don't want to
4 miss any of the questions you said. You also spoke to
5 concerns about how a dry crop yield could be -- you
6 know, go up in flames. Lance is going to speak to this
7 a lot. I know that I've been speaking in passing about
8 NFPA 855 about that and what that means to reduce the
9 risk of fire. So, the way that the site is built --
10 which again we'll talk about more -- the fire stays, if
11 there is a fire, which, by the way, the likelihood of
12 that happening with these modern safety codes is
13 extremely low. It's not impossible, so that's why we
14 talk about it. If there is a fire, that's why we space
15 the batteries apart the way we do so they cannot move
16 one battery to the other, and that's why there's also
17 going to be a lot of space, more than NFPA 855 requires
18 between the batteries and fence line of the project, so
19 it never gets to that point. So, I hear your concerns,
20 and the likelihood of that happening is extremely low.

21 MS. KUJAWA: Did you know that the power company
22 that is in that area is Tri-County? I have Tri-County
23 Electric out at my farm. I don't have Ameren. Where I
24 live in Aviston, I have Ameren. I did call Tri-County,
25 and they weren't aware of this project, but they said

1 they wouldn't have anything to do with it, but when you
2 say that the cost is going to lower, I can't believe
3 that. The cost of the power is going to cost us more.
4 Can you deny that?

5 A. So, you have Tri-County Electric Cooperative --

6 MS. KUJAWA: Yes.

7 A. -- and I believe I have actually had meetings
8 attended by members of Tri-County. So, once again, you
9 know, battery storage seeks to lower these increases.
10 The way that electricity is distributed and the way it's
11 priced, that is a function of the utility. I cannot
12 guarantee anything. I can just speak to what these
13 battery projects seek to do. It is correct that Ameren
14 is the owner of the transmission facilities, and they
15 are the ones that ultimately decide where that
16 electricity goes and what price to set. We are just
17 seeking to limit, again, that increase in prices through
18 the construction of these systems, but we do not control
19 the direction electricity flows or the price at which
20 it's set.

21 MS. KUJAWA: Okay. Thank you.

22 MR. KAINS: Thank you, Ms. Kujawa.

23 Before we have any other questions from the
24 public for Mr. Gorman, I think we're going to need to
25 take a recess. Everybody can step outside and cool off,

1 and our court reporter can rest her fingers. So, we're
2 going to take a break right now. It's about nine
3 minutes until eight o'clock. Let's come back about
4 eight o'clock. We'll come back at eight o'clock and
5 resume questions for Mr. Gorman.

6 The Washington County Zoning Board of Appeals is
7 in recess until eight o'clock. Thank you.

8 (Recess was taken.)

9 MR. KAINS: We're back on the record. Let the
10 record reflect that the Zoning Board of Appeals is back
11 and has reconvened at 8:02 p.m., and Mr. Gorman is still
12 on the witness stand.

13 Mr. Gorman, do you understand that you remain
14 under oath and promise to tell the truth?

15 MR. GORMAN: I do.

16 MR. KAINS: Okay. Very good. All right.

17 Remaining questions for this witness from members
18 of the public. The lady in pink is moving forward.

19 Can I see a show of hands for folks on this side
20 of the room who would like to ask Mr. Gorman questions?

21 Okay. 1, 2, 3. All right. Very good.

22 Good evening, ma'am.

23 MS. KUJAWA: Hello.

24 MR. KAINS: What is your name?

25 MS. KUJAWA: Rebecca Kujawa.

1 MR. KAINS: Rebecca. Can you spell "Rebecca"?

2 UNIDENTIFIED SPEAKER: It's not on.

3 MS. KUJAWA: Is this better?

4 MR. KAINS: Can you spell "Rebecca" for the court
5 reporter?

6 MS. KUJAWA: R-E-B-E-C-C-A.

7 MR. KAINS: And your last name is the same as
8 Ms. Kujawa who just testified?

9 MS. KUJAWA: Yes.

10 MR. KAINS: And we all know Ms. Kujawa now.

11 One thing I do is I go around the State, I meet
12 concerned citizens and appreciate their concern. I also
13 have occasion to meet a number of witnesses from the
14 energy companies. I see a lot of familiar faces from
15 that side too. I'm not on any side. I am on the side
16 of making sure everybody gets to ask questions and
17 understand the issues.

18 All right. Ms. Kujawa, you can go ahead with
19 questions for Mr. Gorman.

20 MS. KUJAWA: So, you keep talking about Invenergy
21 making this proposal, but the proposal is by Gatehouse,
22 so is Invenergy guaranteeing your obligations?

23 UNIDENTIFIED SPEAKERS: We can't hear you.

24 MR. KAINS: You almost have to look right at it
25 and talk right at it. It's kind of daunting, isn't it?

1 MS. KUJAWA: Is Invenergy going to guarantee the
2 obligations of Gatehouse?

3 A. Yes.

4 MS. KUJAWA: And is there already a done deal
5 that Ameren is buying the project when you're done with
6 it?

7 A. No, this project has not been marketed. We have
8 not entered that stage of the project. We are still in
9 the preliminary permitting stage.

10 MS. KUJAWA: But if it was built around the
11 Ameren connection, is that who it's designed for?

12 A. So, they just own the transmission
13 infrastructure. That does not necessarily mean they
14 would purchase the project, although they would be a
15 strong contender to do so and qualified.

16 MS. KUJAWA: And would this be the largest
17 project you've worked on?

18 A. No, it would not.

19 MS. KUJAWA: Is it the largest in Illinois?

20 A. The largest battery project, I'm not aware. I
21 don't know the other projects.

22 MS. KUJAWA: I think it is by a lot, so I was
23 just curious if you had done another project that was
24 this big.

25 A. I sorry, I misspoke. I have assisted in the

1 permitting of a 300-megawatt battery energy storage here
2 in the state of Illinois.

3 MS. KUJAWA: And they passed it -- or they
4 approved it already?

5 A. That's correct.

6 MS. KUJAWA: Where is that at?

7 A. That is in Vermillion County, Illinois.

8 MS. KUJAWA: And then for something that big a
9 size, what would you imagine it would be used for? What
10 are we targeting since we're not an Ameren's system? As
11 part of the grid that you mentioned, there's gaps in the
12 grid. Whose grid are we supporting?

13 A. So, maybe I'm not fully understanding the
14 question, but it is all of our grid, the United States
15 grid, but the specific transmission facilities are owned
16 by Ameren.

17 MS. KUJAWA: Okay. So, we can expect something
18 else to be coming in? I mean, in relation to this since
19 it's 185 megawatts, or could it go all over the state?

20 A. That would -- I think a similar question was
21 asked, and where the electricity is distributed would be
22 by the utility to where it is needed, and I can't say
23 where that will be, because I'm not an employee of the
24 utility.

25 MS. KUJAWA: So, it makes senses that we might

1 want to talk to Ameren what their intention might be for
2 this large of a --

3 A. Ameren is a public utility, so I believe they do
4 engage with the public on questions about how they
5 conduct their business.

6 MS. KUJAWA: Okay. I would disagree, but --
7 also, I mean, you're not saying it's a zero-release
8 site. I mean, it's not -- as the way the technology
9 works, there would be no release of toxic chemicals?

10 A. So, I'm going to have Lance and Matthew over
11 there talk about exactly what type of emissions exist
12 and don't exist for this site.

13 MS. KUJAWA: Okay. I just want to be clear,
14 there are emissions, it's just they're not hitting above
15 what the EPA standards are.

16 All right. Those are my questions.

17 MR. KAINS: All right. Very good. Thank you,
18 Ms. Kujawa.

19 Gentleman back there with the glasses. Yes, you
20 there, sir.

21 And who are the other two people on this side?

22 Okay. Very good. Thank you.

23 Hello, sir. What's your name?

24 MR. WINKELER: Dale Winkeler.

25 MR. KAINS: How do spell your last name, Dale?

1 MR. WINKELER: W-I-N-K-E-L-E-R.

2 MR. KAINS: Okay. Very good. Thank you. Go
3 right ahead.

4 MR. WINKELER: And some of this is a statement.
5 I live next to a solar farm that was developed, and some
6 of what you're telling me: We're going to follow -- the
7 contractors are going to follow rules, we're going to do
8 this. I just want to make a statement for the county
9 board and the zoning --

10 MR. KAINS: Well, sir, Mr. Winkeler, there will
11 be a time for you to do that, but right now it's just
12 time to ask questions of this gentleman, but we will
13 have you back up here on another evening.

14 MR. WINKELER: Okay. My question is then: How
15 do you do that? How do you keep your contractors doing
16 it, because what I see, four o'clock, they're down the
17 road, every one of them.

18 A. So, I cannot speak to the project you're talking
19 about, the way they conduct their business. We do ours
20 our way through the construction manager with very, very
21 tight coordination with our builder, and we do
22 everything we can do to do it the right way, where
23 they're following, first of all, the law and then
24 following the road use agreement, which makes again
25 everything to minimize impact upon, you know, local

1 landowners and with deference to local landowners.

2 MR. WINKELER: And that includes 200 people
3 running down County Highway 25?

4 A. So, 200 people will not work on the site all at
5 the same time. The project is built in phases, so there
6 will not be 200 people working on this project at one
7 time.

8 MR. WINKELER: Okay. Well, how many? How many
9 are going to be traveling down that road in a day? I
10 mean, I think that all of us, we all travel that road.
11 That is important to us. Safety. That's one aspect of
12 this.

13 A. Yes. Yes, I agree, and again, the way that the
14 roads are used, the way that traffic will be managed
15 will be a negotiation as part of the road use
16 agreements, and again, we don't get to pick what's in
17 there. We talk to the county and to the township, and
18 they tell us what they think. You know, we try to
19 workshop it together, but, ultimately, if they don't
20 sign that document, we don't get a building permit, and
21 we can't complete this project.

22 MR. WINKELER: Who -- do you have a group that
23 follows that, that supervises all of that?

24 A. Yes, we employ construction traffic, you know,
25 within our project staffing.

1 MR. WINKELER: Okay. Invenenergy does?

2 A. Yes. Well, we -- it's -- it would be through the
3 contractor, you know, we identify who those people are.

4 MR. WINKELER: That's all I have. I just wanted
5 to make that statement living in the real world.

6 MR. KAINS: Yes, very good. Thank you,
7 Mr. Winkeler.

8 To follow up on one of Mr. Winkeler's questions,
9 what would the maximum -- if you know, what would be the
10 maximum number of people driving from their residences
11 or hotels to the site in the morning and home from the
12 site in the afternoon? You said it was going to be a
13 staggered build, and I understand that. What would be
14 the maximum that these folks could anticipate on the
15 roads?

16 A. I cannot say that, and, you know, we can pose
17 that question to the engineering lead.

18 MR. KAINS: Okay. Very good.

19 Mr. Winkeler can ask that question of your
20 engineering team.

21 All right. Then the lady right here in the tan
22 sweater.

23 What is your name?

24 MS. KOBUS: My name is Sherry Kobus.

25 MR. KAINS: Can you spell your first name -- oh,

1 you might need to flip the switch from bottom up.

2 MS. KOBUS: Is that better? My name is Sherry
3 Kobus.

4 MR. KAINS: Could you spell your first and last
5 names?

6 MS. KOBUS: S-H-E-R-R-Y K, as in Kansas, O-B-U-S.

7 MR. KAINS: Go ahead with your questions to this
8 gentleman, Ms. Kobus.

9 MS. KOBUS: What could cause a decommissioning
10 prior to the actual preset length of the project?

11 A. A complete decommissioning of the site?

12 MS. KOBUS: Yes.

13 A. That is a good question for our engineer to
14 answer.

15 MS. KOBUS: You've never -- you've had a BESS
16 project in completion since 2012; is that correct?

17 A. It began operating in 2012, correct.

18 MS. KOBUS: And you've never in the history of
19 your company had to decommission prior to the preset
20 length of the project?

21 A. So, the Grand Ridge energy storage project, as I
22 said, is going to be scheduled for decommission. It has
23 a very different type of function than what's being
24 proposed here. Again, we spoke to frequency regulation,
25 which is much harder on the battery, so it has a shorter

1 life. We do not to my knowledge have any operating
2 battery energy storage system that is lithium iron
3 phosphate that is long-term storage that has been
4 decommissioned or scheduled to be decommissioned.

5 MS. KOBUS: But the one up at Ridge Farm; is that
6 what you said?

7 A. It's called Grand Ridge.

8 MS. KOBUS: Grand Ridge.

9 MR. KAINS: Is that the one in La Salle County
10 that you referred to?

11 A. Correct.

12 MR. KAINS: La Salle County.

13 MS. KOBUS: Okay, and there's a couple of them up
14 there in La Salle County?

15 A. There is one -- there is one primary Invenergy
16 one. It's 31.5 megawatts, I believe.

17 MS. KOBUS: Okay. And has it gone to its
18 predetermined length, or you're going to decommission
19 early?

20 A. So, I will extend that question over to our
21 engineering lead, who has much more -- I did not work on
22 that project. He will be able to answer that more fully
23 than I can.

24 MS. KOBUS: But you have no idea why it has to be
25 decommissioned early?

1 A. So, I can't even use the word "early", because I
2 don't know what the intended life span was. What I do
3 know is it was used for a different function, frequency
4 regulation, which is not what's being proposed here and
5 is not, you know, what we have done with any of our
6 recent projects that we have built and operated.

7 MS. KOBUS: Okay. And in your presentation, you
8 talked about decommissioning in a very precise way that
9 you would be setting aside money and that it would be
10 back to its original form. What -- do you test this
11 land at this point to know if 25 years down the way that
12 you're going to get it back to its same productivity?
13 How do you know, and can you swear to that that you're
14 going to do that?

15 A. So, that is a question that our decommissioning
16 expert when they give their testimony on how that will
17 go, she will speak to that.

18 MS. KOBUS: So, your screens up there were not
19 necessarily everything that you're in charge of?

20 A. No, I am delivering a general summary of the
21 project, and again, I am joined by experts who can
22 answer these questions more fully, which is what I
23 believe you're looking for is a full and complete
24 answer.

25 MS. KOBUS: Yes. Okay. So, that's another

1 expert another night?

2 A. We'll see how far we get.

3 MS. KOBUS: That's all.

4 MR. KAINS: We're trying to get through it as
5 quickly as we can. Thank you for your questions,
6 Ms. Kobus.

7 The gentleman in the plaid shirt here in the
8 second row.

9 Good evening, sir.

10 MR. WINKA: Good evening.

11 MR. KAINS: What is your name?

12 MR. WINKA: Can you hear me?

13 MR. KAINS: Yes, sir.

14 MR. WINKA: My name is Marvin Winka, W-I-N-K-A.

15 MR. KAINS: All right. Go ahead, Mr. Winka, with
16 your questions for this witness.

17 MR. WINKA: Okay. First off, I would like to
18 bring to your attention and the county zoning board here
19 that we did circulate a petition, and each one of you
20 received that petition, and the cover page of it told
21 the reason for the petition, and we were opposing, but
22 we also in that petition are expecting the most out of
23 safety regulations from the County, and I would like to
24 have that petition as an exhibit. Is that possible?

25 MR. KAINS: Absolutely, but what we're going to

1 do just procedurally, this is the time to ask questions
2 of this witness.

3 MR. WINKA: I understand.

4 MR. KAINS: But, Mr. Winka, I hope you'll be back
5 for other nights of the hearing.

6 MR. WINKA: I plan on being.

7 MR. KAINS: Okay. Very good, and at that time,
8 you can present the petition. Mr. Griffin and Mr. Keyt
9 as the attorneys for the developer and for the County,
10 they'll have a chance to look at it, raise any
11 objections, but as the judge on this, I'm inclined to
12 allow a petition that people have signed to be
13 considered.

14 MR. WINKA: Thank you. Yeah, because these
15 petitions were from the -- 92 of them -- out of the 200,
16 92 were from residents of the village of Radom. The
17 other 108 were from the community residents/landowners.

18 MR. KAINS: Let's take that up when it's your
19 turn to testify.

20 MR. WINKA: Thank you.

21 MR. KAINS: And we will definitely do that.

22 MR. WINKA: Okay.

23 MR. KAINS: Questions for Mr. Gorman.

24 MR. WINKA: Mr. Gorman, okay. You stated earlier
25 that you did have -- in La Salle County, correct, you

1 had a container you -- you did have a malfunction?

2 A. Invenergy has a project in La Salle County in
3 which there was a fire safety event.

4 MR. WINKA: And there was a fire?

5 A. Yes.

6 MR. WINKA: And how long did that fire burn? I
7 understand you're not putting them out, they have to
8 burn them self out. For what period of time?

9 A. So, I do know that it was contained to one
10 battery container. I do not know the duration. I do
11 not know the duration of the flame.

12 MR. WINKA: Then who would know that?

13 A. It is possible that someone -- that my engineer
14 here can speak to that, the duration of the fire event.

15 MR. WINKA: And I understand you did studies, but
16 I want to ask one question. Did -- was there ever any
17 testing done where these containers that you plan on
18 putting in this proposed site, if you take that same
19 container, put the same amount of batteries in it and
20 locate all around it, and you can space them at your six
21 feet, but set that center one on fire and let it burn,
22 was there ever any testing done that way to see what
23 would happen? Would the others get hot enough to
24 malfunction?

25 A. So, that is a great question, and that is exactly

1 what NFPA 855 speaks to, and again, Matt here is going
2 to be the true expert telling you this, but I can give
3 the 100-level is they stress test the bejesus out of
4 these things. They put it through every test they can.
5 They light them on fire, they hit them with hammers, and
6 they see how they react, how -- what impact that has at
7 certain distances. That's how they come to conclusions
8 and the requirements NFPA 855, and he will speak to that
9 in great detail.

10 MR. WINKA: Okay. Because my greatest concern is
11 the location. I own the entire north boundary line. I
12 own two-thirds of the south boundary line and to the
13 corner, and we operate a farm, grain farm, livestock
14 farm, myself and four of my sons. We're all in
15 partnership on it. In the event of evacuation, our farm
16 has to operate 364 days a year because of livestock. In
17 case of an evacuation, how is this going to be handled?
18 I mean, when you have to evacuate, you get yourself out.
19 There's no time to do anything else. Our whole farming
20 operation could shut down, because at my location is the
21 hub of it -- of the grain part. All of our supplies,
22 our fuel, our storage, our supplies, our equipment,
23 everything is there. If we can't get back there, the
24 farm, it shuts our entire operation down. That doesn't
25 only affect us, it affects every landowner that we rent

1 or lease ground from. How would we be compensated?

2 A. So, the first thing that I will say is that to my
3 knowledge -- and again, I'm sure you're tired of hearing
4 me say this -- they will speak to this more. No NFPA
5 855 site that uses our proposed lithium iron phosphate
6 batteries has had to institute an evacuation. That is
7 just simply not how the site is designed. The site is
8 designed to keep safety events on site. Now, I
9 understand that, you know, in the world of things
10 anything can happen, and I understand you're concerned
11 about your cattle operation, your farming, and the grain
12 operation. If for any reason, you know, there is -- we
13 caused damage to your property, this project is highly
14 insured. You know, we have -- we go through so much due
15 diligence to make sure it's safe and fully insured
16 before we can get anything. You know, you would be
17 compensated. You would put in a claim with your
18 insurance. They would contact our project's insurance,
19 and there would be compensation given to you in that
20 very, very, very unlikely event that there was damage to
21 your property.

22 MR. WINKA: If a container does catch fire, you
23 say heavy metals would not drop out, but there would
24 still be smoke, correct?

25 A. Yes. So, there would be a plume that is not

1 unlike that -- or it's actually quite similar to that of
2 a house fire. There are no exotic chemicals or fumes
3 coming out, and Matt in his presentation is actually
4 going to go through -- as I believe there was a similar
5 question from someone earlier -- as to what the plume
6 looks like, what is involved in it, and what distance it
7 safely dissipates into the air.

8 MR. WINKA: Safely dissipates. We've had -- here
9 in the last few weeks, we've had 30, 35 mile an hour
10 winds, south winds. All of our property where our
11 buildings are and livestock, our grain setup is all to
12 the north, so a south wind will affect us. I've seen a
13 brush fire on fire, depends on the humidity that day,
14 the smoke lingers on the ground, and it flows all over.
15 Now, would you feel safe -- if you were there, would you
16 stand out there in that smoke all day?

17 A. Well, I wouldn't stand next to it, which is not
18 what you have described.

19 MR. WINKA: No, not next to it. You can be a
20 quarter mile away, half mile away, that smoke is going
21 to be on the ground. Would you feel safe? You
22 yourself, would you feel safe --

23 A. Yes, sir.

24 MR. WINKA: -- or would you evacuate?

25 A. Yes. I have been involved in this situation for

1 a very long time. Matt is over here as not just an
2 engineer, he's a firefighter from the New York Fire
3 Department. He's going to speak a lot to the questions
4 that you're answering -- asking.

5 MR. WINKA: I remember some of your earlier
6 meetings, the informational meetings with the fire
7 department. Fire protection were not allowed to get
8 within 100 feet of it.

9 A. Right. That is -- I'm going to defer these
10 questions.

11 MR. WINKA: If it's so safe, why?

12 A. Well, because you never want to stay next to a
13 fire, period. That's -- you know, you don't want to do
14 that no matter what the fire is, what the source. But
15 again, the specifics of how this will pertain to, you
16 know, an unlikely fire at our BESS facility, Matt is
17 extremely capable of walking you through that.

18 MR. WINKA: Well, I hope and pray it would never
19 happen, but it's something that needs to be taken into
20 consideration prior to any signing.

21 A. Okay. We design our site to be as safe as
22 possible, but we prepare for the worst. That's why we
23 have these conversations. That's why we do this due
24 diligence.

25 MR. WINKA: Then another thing on your liability

1 insurance, what -- you have numerous smaller units out
2 here, facilities, correct? Some of 5 megawatts, some of
3 30 whatever -- you were going through this earlier -- in
4 Illinois.

5 A. In, Illinois, yes, they are varied in sizes.

6 MR. WINKA: So, what is -- how do you determine
7 the liability?

8 A. So, I do not determine that liability. That is
9 done --

10 MR. WINKA: Well, is the liability on a unit
11 that's only a fraction of the size of the one you're
12 going to build here, what's the liability on it compared
13 to the liability you're putting on here? It's
14 \$10 million per occurrence doesn't seem to be enough.

15 A. Yeah, I can say with -- I do --

16 MR. WINKA: And this is our ordinance.

17 MR. KAINS: Hang on. Let him answer the
18 question, please.

19 A. I am not aware of the individual liabilities
20 amount for each project. I know that is done by a team
21 -- you know, our team that knows a lot more about
22 insurance than me. What I can tell you as someone that
23 does the development, due diligence, it takes so long to
24 get the insurance people on board. Like it's the most
25 -- the most advanced due diligence I'm part of during

1 the project. So, it is properly assessed, and, you
2 know, if -- we can get you more information how exactly
3 that process happens with our projects, but I don't have
4 that for you today.

5 MR. WINKA: My concern over this is we have five
6 families involved in our farming operation. These five
7 families, the men, we make our livelihood out of our
8 farming operation. They don't work out somewhere else.
9 We don't have our health insurance paid somewhere else.
10 We foot all our bills. If something happens that we
11 can't do our job, we're in financial trouble. Do you
12 understand what I'm saying?

13 A. Yes. Yes. I'm sorry, I was waiting for a
14 question. Yes, I understand what you're saying, and
15 that's why the insurance is there, and that's why,
16 again, whether the County requires us to or not --
17 because there are counties that do not require NFPA 855
18 -- and we build our sites to that requirement anyway,
19 because that's just what we do as a company.

20 MR. WINKA: My suggestion would be to look into
21 what liability coverage you have to carry or is carried
22 in some of these smaller facilities compared to what's
23 here and see if liability is high enough.

24 A. You know, you did state that you have a lot of
25 land adjacent to our project, Mr. Winka. I'm more than

1 happy to continue this conversation and get you all the
2 information on our liabilities that I can.

3 MR. WINKA: Okay. Now, we touched on property
4 value.

5 A. Yes.

6 MR. WINKA: And I understand you to say there
7 would be no loss of property value.

8 A. That is the conclusion of their report, and our
9 appraiser is here today and will be available -- well,
10 scheduling, you know, will be available to answer your
11 questions about how that assessment was concluded.

12 MR. WINKA: Well, I don't buy that, not at all,
13 and I don't know. I know the gentleman couldn't be
14 here. I asked him to be here. His work took him out of
15 state today, but we have a family that bought a small
16 acreage maybe about three years ago, built a new home on
17 it, and they are just to the north of Howard School Road
18 on the north side of County Highway 25, built a new
19 home. They have two small children, expecting their
20 third. Their home has a valuation now. It's valued.
21 They just built it. If they wanted to turn around and
22 sell that house now with this proposed site being built,
23 are you telling me it wouldn't lose value? Who would
24 want to come in and buy and live there now?

25 A. So, I can't speak to the motivations of every

1 single individual home buyer, but, again, you know, the
2 conclusion of the report is that it will not lower the
3 property values, and our appraiser is more than happy to
4 walk you through how he came to that conclusion.

5 MR. KAINS: Mr. Gorman, I'm going to interrupt
6 you and just tell Mr. Winka, they do have a gentleman
7 who is going to talk about this, and you can ask him all
8 the questions you want when he's on the witness stand.

9 MR. WINKA: Okay.

10 MR. KAINS: This gentleman is the project
11 developer. He's provided us with a summary, kind of an
12 overview of the whole project, but they have specific
13 persons who will be here as many nights as this takes
14 and -- because I want to ensure you that you'll be able
15 to ask those questions.

16 MR. WINKA: Okay. That pretty well -- I'm not
17 getting all the answers I had intended to get, but we
18 will get them later then.

19 MR. KAINS: You will definitely get them,
20 Mr. Winka.

21 MR. GORMAN: And, Mr. Winka, I did mean it, that
22 conversation about insurance, I'm happy to have that
23 with you and get you all the information that I can.

24 MR. WINKA: Okay. Was there ever a geological
25 study done on that property?

1 A. So, geological studies are typically performed
2 after the permitting phase.

3 MR. WINKA: After?

4 A. Yes.

5 MR. WINKA: After it's built?

6 A. No. After the project goes through the
7 permitting, not before it's built. No, we were talking
8 about insurance. We would never, ever get a project
9 insured without not just one but several geological
10 studies done with each other.

11 MR. WINKA: I was just curious as to that site,
12 but I will turn this over.

13 Mr. Wood, would you like to address that?

14 MR. KAINS: Is this gentleman -- are you wishing
15 to ask questions of this witness?

16 MR. WOOD: At this point, no. I think the
17 engineer would be the proper person to ask. We'll
18 defer.

19 MR. KAINS: And, sir, just for the record, what
20 is your name?

21 MR. WOOD: My name is Nelson Wood, and I'm
22 representing Marvin and Bernice Winka. I'm their
23 attorney.

24 MR. KAINS: And you've kept your jacket on the
25 whole time.

1 MR. WOOD: And it will remain on.

2 MR. KAINS: That means you're very respectful and
3 some would call it "old school".

4 MR. WOOD: I've been to Hamilton County before.

5 MR. KAINS: That's awesome. Thank you, Mr. Wood.
6 I appreciate it, but, yeah, if you want to ask
7 questions, you may.

8 MR. WOOD: I have a few later if we get to that.

9 MR. WINKA: I would like to touch on a road
10 issue, but I guess we need to wait.

11 MR. KAINS: Let's find the right witness.

12 MR. WINKA: Okay. Thank you.

13 MR. KAINS: Okay, Mr. Winka, thank you very much.

14 All right. Are there any other questions for
15 members of the public who are either opposed to the
16 project or neutral on the project who have questions at
17 this time for Mr. Gorman?

18 All right. Very good.

19 Then it's time for questions from Washington
20 County staff and consultants. Any questions from the
21 side table down there?

22 MS. ALTHOFF: I do not have any. He's clarified
23 everything we need --

24 MR. KAINS: He's clarified everything Ms. Althoff
25 needs.

1 MS. ALTHOFF: -- at this point.

2 MR. KAINS: Very good, and then we have redirect
3 examination, Mr. Griffin.

4 ATTORNEY GRIFFIN: No questions.

5 MR. KAINS: All right. Very good. Final
6 questions for the witness come from members of the
7 zoning board of appeals.

8 Everybody satisfied?

9 You can get off your feet now, Mr. Gorman. Thank
10 you. You may step down. You're excused as a witness,
11 but I imagine you'll be here for the whole hearing.

12 MR. GORMAN: Of course.

13 MR. KAINS: Okay. Very good.

14 (Witness excused.)

15 Mr. Griffin, call your next witness.

16 ATTORNEY GRIFFIN: Mr. Lance Pan.

17 MR. KAINS: And, folks, we are going to go until
18 nine o'clock. I'm hoping that Mr. Pan will be able to
19 give his presentation. So, if you can, take notes,
20 because then he'll be back next time for questions, but
21 I don't think we're going to be able to get through
22 Mr. Pan's testimony and then the myriad of questions
23 that there will be for him because he's, I guess, the
24 lead engineer on the project.

25 All right, sir, could you please raise your right

1 hand to be sworn?

2 (Witness sworn.)

3 MR. KAINS: Very good. What's your name?

4 MR. PAN: My name is Lance Pan. L-A-N-C-E P-A-N.

5 MR. KAINS: All right. Mr. Griffin, if you want
6 to inquire as to his work background and qualifications,
7 and I'm not requiring that anybody be qualified as an
8 expert witness. If you want to do that, you're free to,
9 but it's not required by this particular board. Some
10 counties require persons be qualified, but -- as expert
11 witnesses, but in Washington County, we don't have such
12 a rule. So, go ahead, Mr. Griffin.

13 ATTORNEY GRIFFIN: Thank you, Mr. Kains. I will
14 then keep these questions more brief for this witness.

15 EXAMINATION BY ATTORNEY MR. GRIFFIN

16 Q. What is your current place of employment?

17 A. Invenergy LLC.

18 Q. And I provided with -- the board a copy of your
19 professional resumé that you provided to me. Are all
20 the statements in that resumé true and correct?

21 A. Yes.

22 Q. And can you please summarize for the board your
23 educational background?

24 A. I hold a Bachelor of Science in electrical
25 engineering from the University of Illinois at

1 Urbana-Champaign.

2 Q. And can you please summarize your professional
3 background in engineering?

4 A. Yes. So, I serve as a manager on our storage
5 engineering team here at Invenergy. I've been with the
6 company coming up on seven years now, working largely on
7 utility-scale battery energy storage systems.

8 Q. And what do you do in your role at Invenergy?

9 A. So, I serve as a manager on the storage
10 engineering team. I've also served as a project
11 engineer or lead engineer on several of -- several of
12 our battery energy storage projects, including the
13 project that we are talking about here tonight.
14 Otherwise, I serve as a manager.

15 Q. And how many other battery storage projects
16 besides this one have you been involved with?

17 A. Close to two dozen.

18 Q. And what was your responsibility --

19 MR. SCHNEIDER: I didn't hear that.

20 MR. KAINS: Two dozen.

21 Q. -- concerning the Gatehouse project in the
22 preparation of the application materials for it?

23 A. I served as a technical expert to help provide
24 and prepare our application and make sure that the
25 technical details are correct.

1 Q. All right, and, Lance, you have a brief
2 presentation, correct?

3 A. I do.

4 Q. Why don't you go through that now with the board.
5 Thank you.

6 A. Okay. I will do my best to keep the presentation
7 brief, but I am here to answer any and all technical
8 questions that you may have about energy storage. So, a
9 brief kind of starter on how energy storage works, so
10 electricity is generated whether it's from a plant or
11 from elsewhere on the grid. That electricity is stored
12 within the energy storage system. That is then
13 discharged from the storage when demand is high and
14 supply is low. The transformer at the project
15 substation will increase the voltage of the electricity,
16 where it will then travel to the grid. At a local
17 level, that electricity is then stepped down through
18 another transformer where it serves local loads, whether
19 that's local houses, local businesses, or otherwise, and
20 to clarify, the grid is serving, you know, not just here
21 but all across America. It's a distributed system, so
22 if it's something that is operating here, it's helping
23 to support the load in this area. I'm happy to answer
24 more questions, but in the meantime, next slide.

25 So, a quick primer when we're talking about

1 battery energy storage, what are the components. So,
2 starting from the left, that is the battery cell. These
3 typically look like metal lunch boxes. These are the
4 smallest components when we're talking about batteries
5 that we have on the site. Those cells are lined up
6 together in what are called modules, which are then
7 slotted into racks, which are then placed within
8 enclosures.

9 Next slide. So, those battery enclosures I
10 mentioned are on the left side. Those are then
11 connected to power convergent systems which transform or
12 invert the power from direct current to alternative
13 current, which is what the grid uses. That then goes
14 through underground collection cables into the project
15 substation, where it is stepped up to a higher voltage
16 for use on the grid, and then the transmission line is
17 the lines that make up the grid.

18 Next slide. So -- and I gather there are a lot
19 of questions about energy storage safety. It's our top
20 priority, so I wanted to give the brief overview of kind
21 of the four pillars of Invenergy's approach to energy
22 storage safety. So, it starts with equipment and system
23 design, making sure that we are utilizing the most --
24 the safest equipment possible and that we're designing
25 projects in a manner that is as safe as possible.

1 The second of the pillars is emergency management
2 plans and training. We take great pride in the fact
3 that we work with first responders all across the
4 country in order to make sure that they have the correct
5 resources and the correct training to address anything
6 that might happen on site.

7 Next, remote monitoring and automated emergency
8 response. So, at these projects, they are typically
9 monitored 364 days a year, 24/7. They're automatic
10 alarms, and the headline here is these things are
11 monitored constantly. And then codes and standards, I
12 know there's been a lot of discussion about that, but we
13 are committed to working with fire protection engineers,
14 the authority having jurisdiction, other fire experts
15 across the industry in order to make sure that we're not
16 just with the latest and greatest but we're keeping an
17 eye towards the future as well.

18 Next slide. So, I touched on the kind of
19 umbrella standard. That's the main one that we
20 typically refer to, the NFPA 855 standard, but we'll
21 also talk a little bit about the lithium iron phosphate
22 chemistry that Quinn mentioned previously. That is the
23 specific chemistry of lithium iron batteries, and it's
24 typically viewed as the safer option for battery energy
25 storage because it's more thermally stable, and if it

1 catches -- well, not necessarily fire, but if it goes
2 into a safety event or thermal runaway, it's typically a
3 milder reaction compared to something like an NMC cell.
4 There's also advanced battery management systems that
5 monitor the system 24/7 and have capabilities of
6 shutting the system down should it detect any
7 abnormalities, and again referencing to the NFPA
8 855-compliant site design.

9 Next slide. So, project layout. We commit to a
10 35-feet minimum separation between the battery
11 enclosures and the fence line. I understand there was
12 some concern about the potential for fire, you know,
13 from a battery affecting anything. So, we build our
14 projects typically with generally three to six inches of
15 clean rock/gravel, so that's vertically down, and that
16 will be at a minimum of five feet between the enclosure
17 and the fence line, and then the gravel typically
18 extends just outside of the fence line. So, when we're
19 talking about the risk of fire jumping over 35 feet of
20 pure rock, that's not something that we view as a very
21 high likelihood, and that's the reason why we have that
22 distance. And then in addition to that, we will have
23 security fencing around all of the battery yard.

24 Next slide. So, this is an image from
25 our Chicago headquarters, the Generation Control Center,

1 which is monitoring all of our projects for alarms, and
2 there are a whole lot of sensors in these modern battery
3 energy storage systems. I could throw numbers out
4 there, but they wouldn't be helpful without context, and
5 I'm happy to answer any questions about those.

6 Next slide. When it comes to making sure that we
7 have the correct response plan set up, we have, first of
8 all, again, NFPA 855-compliant safety systems. We have
9 on site and remotely accessible emergency stops that
10 will shut down the system, and we are also very
11 committed to working with the first responders providing
12 an emergency management plan that they are comfortable
13 and well-trained on.

14 Next slide. Speaking a little bit more about the
15 emergency management plan. We coordinate with the fire
16 chief and ambulance district here. We shared a
17 preliminary plan ahead of this permit hearing, and the
18 final draft will be coordinated prior to the building
19 permit.

20 Next slide. First responder training. So, just
21 kind of a high-level overview of some of the steps that
22 we take in order to make sure our first responders are
23 trained and comfortable. We typically do two phases of
24 trainings. One is a general classroom training that
25 gives them an idea of: This is batteries; this is what,

1 you know, battery fires look like; this is how to deal
2 with them. And on the second phase, which is where we
3 review more site-specific information, as well as an
4 on-site training component so they can get their hands
5 on safety equipment and familiarize them self with them.
6 In addition to that, throughout the operating lifetime
7 of the project, we will do continuous training with the
8 local fire departments.

9 Next slide. I do want to note that we did have
10 an introductory first responder training that took place
11 at end of March of this year, so that was the Ashley,
12 Nashville, Irvington fire protection districts, and the
13 Washington County ambulance.

14 Next slide. So, conclusions here, NFPA-compliant
15 site design, if you guys aren't sick of hearing that
16 standard referenced yet. Proven lithium iron phosphate
17 technology. We've deployed these systems all across the
18 country, and we know how to do them safely. We've done
19 a lot of homework in that regard, and yes, are committed
20 to continuous, safe training with first responders if
21 this is our project.

22 MR. KAINS: All right. Thank you, Mr. Pan.

23 Mr. Griffin, do you have any additional questions
24 for your witness?

25 ATTORNEY GRIFFIN: I do have some additional

1 questions just to cover some of the questions that Quinn
2 was unable to answer.

3 Q. So, there was some discussion about the Grand
4 Ridge project, Lance. First before I ask you about
5 that, have there been any fire safety -- fire incidents
6 at any Invenergy facilities that used the battery
7 technology that's proposed to be used for Gatehouse?

8 A. There have not.

9 Q. And could you summarize what happened with the
10 Grand Ridge project and how that project is different
11 from the one that's being proposed here?

12 A. Certainly. So, the high-level overview -- I'm
13 happy to answer if people have more questions or want
14 more details. The high-level summary is it was an older
15 system. It was not a NFPA 855-compliant system, because
16 it was built previous to that code. There was a mistake
17 in the battery management system that was manually
18 overridden by the manufacturer that overcharged the
19 batteries and led to one of the enclosures catching
20 fire.

21 Q. And how is the technology that was used at Grand
22 Ridge different from what's being proposed here?

23 A. So, the technology that was being used at Grand
24 Ridge was not up to the same codes and standards that we
25 would expect today, and it was also a high-power

1 project, which is very different from the more
2 long-duration energy storage that we are contemplating
3 here.

4 Q. And for Invenergy projects that are using the
5 battery technology proposed for Gatehouse, have any of
6 those been decommissioned?

7 A. No.

8 Q. And are all those successfully still in
9 operation?

10 A. Yes.

11 Q. And what is the difference, if you can explain as
12 best you can, between the batteries proposed for use in
13 the Gatehouse project versus an electric vehicle
14 battery?

15 A. So, the primary one is electric vehicles because
16 they prioritize energy density and weight, they
17 typically use a nickel manganese cobalt battery. Those
18 batteries while they have higher energy density, that
19 comes with a risk of being less thermally stable. So,
20 they're easier to force into a thermal runaway condition
21 or fire, and when they are in a thermal runaway, they're
22 actually more likely to be on fire.

23 ATTORNEY GRIFFIN: That's all the questions I
24 have. Thank you.

25 MR. KAINS: Very good. Thank you, Mr. Griffin.

1 All right. Questions for the Washington County
2 Zoning Board of Appeals. First from their attorney,
3 Mr. Keyt.

4 EXAMINATION BY ATTORNEY KEYT

5 Q. Okay. Thank you. The project in La Salle
6 County, what was the makeup of that battery system?

7 A. That was a lithium iron phosphate battery.

8 Q. And who was the manufacturer of those batteries?

9 A. That was a Gotion battery system.

10 Q. And are those the batteries you're proposing to
11 use here?

12 A. No.

13 Q. The battery system you're proposing to use here
14 was a Fluence system?

15 A. Fluence, yes, that is what we have currently
16 indicated in our plan.

17 Q. All right. In terms of fire events or thermal
18 runaway, are you aware -- whether it's an Invenergy
19 project or not, are you aware of any projects that are
20 subject to NFPA 855 that have had a fire thermal runaway
21 event?

22 A. I have seen reporting. There are online
23 resources that track thermal events across the industry.
24 I can't speak to anything specifically.

25 Q. All right. Are you aware of any that involved a

1 lithium iron phosphate battery?

2 A. I don't believe so, no.

3 Q. In terms of the 35-foot fire break, that's a
4 requirement that comes from where?

5 A. I believe that is a NFPA 855 requirement.

6 Q. The battery cell that is essentially the smallest
7 component of the battery system, what is that battery
8 cell comprised of?

9 A. So, my background is in electrical engineering,
10 so I'll do my best to explain. It's a metal box that is
11 filled with a liquid electrolyte, and inside that metal
12 box, there are -- they call it a "jelly roll", but it's
13 essentially an anode and cathode material. They come in
14 sheets, and they're rolled up really tightly like a
15 jelly roll.

16 Q. And in that essentially is the mechanism of the
17 production of the electricity or the storage of that
18 electricity?

19 A. Yes.

20 Q. You mentioned that you had these four pillars to
21 ensure the safety, one of them being stringent quality
22 standards. So, that's kind of a conclusory statement.
23 I guess my question is, what is it that makes up those
24 stringent quality standards that are you referring to?

25 A. So, speaking -- are you -- just to clarify, are

1 you speaking about equipment safety and quality
2 standards?

3 Q. Correct.

4 A. So, there is a lot of updated standards in the
5 industry when it comes to how we test these battery
6 cells. How -- you know, how do we ensure that the
7 battery cells we're putting in our project are safe and
8 they're manufactured within kind of their standard
9 design. So, there's a lot that goes on from where the
10 cells are manufactured. They're tested. When the
11 modules and racks are integrated, they're tested. When
12 the enclosures are all put together, they're all tested,
13 and when they're on site and commissioned, they will be
14 tested. There's multiple layers of quality testing
15 that, you know, takes place before a project will ever
16 go operational.

17 Q. Okay. Is there a certifying entity that
18 certifies the battery that you're talking about?

19 A. For specifically quality management purposes?

20 Q. Yes.

21 A. Not that I am aware of.

22 Q. In terms of emergency management, you mentioned
23 that they're "monitored constantly", which again is a
24 little bit of amorphous phrase to that. Can you tell us
25 how they are managed, and is it remotely?

1 A. So, for these batteries, they will have a whole
2 host of sensors. Those sensors will report status to
3 our Supervisory Control and Data Acquisition System or
4 SCADA system. That information is brought to our
5 Generation Control Center, which monitors for alarms.
6 If there's a fire alarm, for instance, the typical
7 design is a very loud, very angry, audible and visual
8 alarm that alerts our operators there's a fire alarm on
9 site.

10 Q. And where is the -- my assumption is that's being
11 done remotely -- the SCADA system is remote; that's my
12 understanding?

13 A. So, the hardware is on site in the project, but
14 it's transmitting that information remotely, yes.

15 Q. Where is it monitored? Who is monitoring that
16 remotely?

17 A. So, for an Invenergy project, that will be the
18 Generation Control Center, which is our 24/7 staffed
19 operation center. There's also a backup center that
20 serves the same purpose in Lombard, Illinois.

21 Q. They're both in Lombard?

22 A. The primary one is in Chicago at our
23 headquarters, and the backup one is in Lombard.

24 Q. In terms of the ability to detect either a fire
25 or thermal runaway event, what is -- I assume there's

1 heat sensors that would detect that; is that correct?

2 A. So, it varies by product. What we typically see,
3 just for example, are heat, smoke, gas detectors.

4 Q. And so the detectors that are on site are
5 monitoring both -- not both, but for heat, smoke, and
6 gas detection that would be detecting whether or not
7 there's an event that has occurred or is about to occur?

8 A. Typically, those would each have dedicated
9 sensors, and therefore detecting an event after it's
10 occurred or pre-event, what we really look at are other
11 aspects like direct temperature measurement on the
12 cells, for example, voltaic measurements, current
13 measurements, other information like that, but the
14 typical fire alarms are for actually detecting a thermal
15 event.

16 Q. So, before -- it sounds like there is sensors
17 that would detect certain information like heat before
18 an event might occur. Am I understanding that
19 correctly? I'm not trying to drag it out here, but what
20 is it that is the precondition that would notify someone
21 at the SCADA system there's a problem?

22 A. So, for a precondition, really what the
23 management systems do is alerts us of anything out of
24 the norm for the information it's tracking, which again
25 is typically an actual cell temperature, not just a heat

1 alarm mounted elsewhere in the enclosure. Voltage,
2 current, these are all things that we look at
3 holistically in order to assess the health of the
4 system. The battery management system if it defects
5 abnormality, it will -- outside of its kind of safe
6 zone, it will stop the operation of that system, and it
7 will flag an alarm to the operators. It won't be a fire
8 alarm, but it will flag it as an alarm to the operators.

9 Q. So, it automatically shuts down if it reaches a
10 certain point, or does there have to be human
11 intervention action to take place to actually take it
12 down?

13 A. It's automatically shut down.

14 Q. In terms of the projects that you have had,
15 Invenergy's had, battery storage projects, have there
16 been instances where a battery system had to be shut
17 down before an event took place?

18 A. That one is a little bit difficult for me to
19 answer, because if it was shut down before an event took
20 place, that -- I'm not aware of anything that's been
21 shut down and then an event took place, so I can't speak
22 to the causality of a shutdown preventing an event.

23 Q. Right. What I'm asking really is if there were
24 sensors that detect when something is about to occur,
25 like a heat sensor, for example, the temperature is

1 getting too high so the system detects that there is a
2 problem and it can remotely shut down, if I'm
3 understanding your testimony correctly, right?

4 A. Yes.

5 Q. And that would occur before some fire event
6 occurred; am I correct?

7 A. That is correct.

8 Q. Has there been instances that you're aware of
9 where that occurred on a remote basis on an Invenergy
10 project?

11 A. So, to give a little bit more color to what these
12 are doing, so the battery management system will
13 automatically typically for -- depending on the project
14 or product and how it's kind of structured, but with,
15 you know, modern systems, the way it will typically work
16 is it's charged up to a voltage. Voltage is one of the
17 main things we look at. So, if it exceeds that voltage,
18 it automatically drops that rack out of rotation.
19 That's a normal occurrence during normal operation. So,
20 it's removing that system from operation because it's
21 reached the upper bound of its operating limit. So,
22 batteries being taken out of -- disconnected because
23 they have reached the end of their charge cycle is
24 something that happens very commonly. Does that help
25 answer the question?

1 Q. I'm not sure. In terms of two things, so let's
2 say there's -- say there is a fire not necessarily at
3 the site but nearby, who is -- who would the person,
4 entity, or remote operations center that would detect
5 that fire?

6 A. Is this speaking to a fire outside of our project
7 fence line?

8 Q. Correct. Let's just presume it's a brush fire.

9 A. I'm not familiar with the local fire monitoring
10 and who that would be.

11 Q. Okay, but you have -- you have on-site personnel,
12 correct?

13 A. Yes.

14 Q. Okay. The on-site personnel can shut the system
15 down; is that correct or incorrect?

16 A. That is correct.

17 Q. Okay. If on-site people detect that there is a
18 fire nearby, what would they do?

19 A. If they deemed it necessary, they would shut the
20 system down.

21 Q. Is there -- are the on-site personnel, are they
22 only there during day, or are they there at night as
23 well?

24 A. Typically staffing, as Quinn mentioned earlier,
25 is 7:30 to 3:30 p.m.

1 Q. So, let's say there's a fire event nearby,
2 doesn't necessarily erupt from the system itself, but
3 there's a brush fire, for example. What's the safety
4 mechanism or backstop to make sure that the system
5 itself is shut down?

6 A. So, because of the setback we have between the
7 battery enclosures and the fence line, we wouldn't
8 expect a fire from a neighboring property to put the
9 batteries in a dangerous temperature zone. However, if
10 that does occur -- somehow in the unlikely scenario that
11 does happen, if the battery enclosures themselves detect
12 a temperature rise and that goes, you know, beyond their
13 operating limits, they will automatically shut the
14 system down. In addition to that, if there is something
15 happening locally and we are notified of it, our
16 operators can shut down the system remotely 24/7.

17 Q. Okay. So, if I'm understanding correctly, A,
18 there's a fire break between the perimeter of the site
19 and the batteries; is that correct?

20 A. Yes.

21 Q. Then if I'm also understanding you correctly, if
22 the project site, the sensors, denote that there is some
23 increase in temperature beyond what would be expected,
24 the remote operations center could shut the site down;
25 am I understanding that correctly?

1 A. Yes.

2 Q. All right. So, then remotely they can also
3 reenergize the site; is that correct?

4 A. That is correct.

5 Q. In terms of the battery systems that are being
6 utilized here, there's been a number of questions about
7 training to fire departments and staff. Who does that
8 training?

9 A. So, we actually typically bring in a third-party
10 registered fire protection engineer. In this instance,
11 we have retained Fire and Risk Alliance, who we have
12 Matt here today to talk a little bit more about that.
13 You know, we recognize that while we know a lot, we
14 aren't former firefighters. We're not, you know,
15 necessarily qualified to train other firefighters, so we
16 make sure we go out and hire the right people to do
17 that.

18 ATTORNEY KEYT: Okay. That's all the questions I
19 have.

20 A. Thank you.

21 MR. KAINS: Thank you, Mr. Keyt. All right.
22 It's two minutes until nine o'clock. What we're going
23 to do is this board is going to go in recess until
24 another night.

25 Mr. Pan, you can go ahead and step down, but

1 you'll be first up the next time we get together, and
2 there will be lots of questions for you, so I'm guessing
3 you heard some of the questions they had for Mr. Gorman,
4 and I trust that you'll do your homework to have those
5 answers.

6 MR. PAN: Looking forward to it.

7 MR. KAINS: Very good. Go ahead and have a seat.
8 All right. I note from the agenda that it says the next
9 hearing, if needed, will be on Thursday, May 28, 2026,
10 at 7:30 p.m.

11 Mr. Keyt, as counsel for Washington County, we're
12 not going -- if we start at 7:30 at night, we're not
13 going to get this done ever. What say you about
14 scheduling other times? Have you talked with your board
15 members?

16 ATTORNEY KEYT: Not about specific times, but I
17 think we can probably figure out now if we could start
18 on the 28th at six or if there's another night that we
19 want to place in between there.

20 MR. KAINS: We had a -- earlier today, we had
21 what's called a Teams conference call. I don't know
22 what "Teams" is, but it's kind of like Zoom, and I
23 participated. We talked about rules and procedures. I
24 participated, the three -- the two attorneys and their
25 paralegal participated, Mr. Griffin, and Mr. Gorman

1 participated, and we talked about what if we don't get
2 done tonight, and we talked about the possibility of
3 coming back May 14th and May 28th. Now, I wasn't born
4 yesterday, and I've done enough of these hearings to let
5 you know that I don't think this can be done in one more
6 night. I think it's going to take at least two, and
7 this gentleman is on my side. Thank you. I think it's
8 going to take at least two more nights, and it may take
9 more than that. Now, I know that we've got a great
10 group of farmers and the like up here who are trying to
11 get their crops in.

12 Ms. Rensing and gentlemen, do you have a strong
13 objection to coming back on May 14th?

14 MR. MULHOLLAND: I don't want to be here tonight.

15 MR. KAINS: Mr. Mulholland says he doesn't want
16 to be here tonight. Well, Dwayne, I love your honesty.
17 He's not a politician, he's a board member, but he's
18 honest, and I think we all appreciate that.

19 MR. SCHNEIDER: I move to stay with May 28th.

20 MR. KAINS: Mr. Schneider wants to stay on
21 May 28th.

22 MR. KAINS: All right. That's going to mean if
23 we don't get done the night of May 28th that we're going
24 to have to find another night in late May or early June.

25 MR. KAINS: Mr. Keyt, do you need to talk to your

1 clients?

2 ATTORNEY KEYT: Well, I think here's what I
3 suggest. Number one, I'm not sure it needs to be on the
4 record.

5 MR. KAINS: Yeah.

6 (Discussion off the record regarding
7 scheduling.)

8 MR. KAINS: This hearing in case number S004-
9 026, Gatehouse Energy Storage, this case and hearing
10 will be in recess, and we will reconvene at this
11 location, whether it's upstairs or downstairs, we're
12 going to be at the legion, and it will take place on
13 May 28th, 2026, starting at six o'clock p.m., and we
14 will have Mr. Pan on the witness stand when we
15 reconvene.

16 Mr. Chairman, is there any other business that we
17 need to take care of?

18 MR. MULHOLLAND: No.

19 MR. KAINS: All right. Very good. The Zoning
20 Board of Appeals is in recess until May 28th at
21 6:00 p.m. Thank you.

22

23

24 (END OF PROCEEDINGS.)

25

CERTIFICATE OF REPORTER

I, Courtney Orman, CSR #084-004628, reported in machine shorthand the proceedings had in the above-entitled cause and transcribed the same by computer-aided transcription, which I hereby certify to be a true and accurate transcript of the proceedings had.

Courtney Orman

Official Court Reporter

License No. #084-004628

Dated this 1st
of May, 2026.

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