November 3, 2026

To
Howard Post, Planning Board Chair
Members, Saugerties Planning Board

Re: KCE NY 34 LLC Response to Nelson Pope Voorhis (NPV) Memorandum
Dated October 16, 2026
KCE NY 34 LLC, 7 Tomsons Road, #150, SBL 18.1-4-5.100

Dear Members of the Town of Saugerties Planning Board,

In response to the NPV Memorandum dated 10/16/2026 please accept the revised version of the Aquifer Compliance Memo as requested.

This document is KCE's only submission at this time.

We welcome any questions or comments.

Best regards,

Paul Williamson
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KCE NY 34
Compliance with the Aquifer Protection District

The southern portion of the proposed KCE NY 34 (KCE) Project (Project) is located within the Aquifer Watershed Zone. The Aquifer Watershed Zone consists of adjacent land areas that do not overlie the aquifer but are where surface water runs across the land after rainfall or flooding and eventually enters the aquifer area.

The Project will comply with all sections of Chapter §245-26, Aquifer Protection Overlay District, as follows:

- None of the Project elements and related activities are listed in **Section *C, Prohibited uses.***
- The Project complies with **Section D, *Site plan review and approval in Aquifer Protection Overlay District,* Subsections:**
    1. KCE has applied for site development plan review and approval by the Planning Board for the Project.
    2. KCE will comply with all conditions included with a Planning Board approval of the Project.
    3. Additional Information required:
        - **a.** Location Map of the proposed use or activity in relation to the Aquifer Protection Overlay District boundaries is provided in **TAB 12_Figure 2_Zoning & Aquifer Overlay Districts.**
        - *b. A map and report detailing the proposed conveyance, storage, distribution, generation, use and/or treatment of any process wastes, aqueous-carried wastes (except sewage), petroleum, hazardous substances, hazardous wastes, solid waste, radiological substances, and/or incidental wastes.*
            - i. N/A
        - c. A map and report of stormwater treatment is provided in Tab 4, and in the SWPP. ***See below*** for further discussion on stormwater management and precautions for protection of the Aquifer Watershed Zone.

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KCE has provided a stormwater pollution prevention plan for the Project (Tab 13 SWPPP) describing proposed storm water management and associated sediment and erosion control measures have been provided. To obtain coverage under the NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit Construction Activities, the SWPP will be filed with Notice of Intent (NOI) with NYSDEC prior to construction. The General Permit Construction Activities will address the collection and treatment of all water onsite. The Project location is located within a portion of the parcel that is relatively flat, where minimal grading will be required. Stormwater runoff from the proposed surfaces does not directly enter downgradient wetlands and watercourses before being captured and treated by one of the project's proposed stormwater treatment facilities. The Project is designed with one alternative cross section area that provides Water Quality Volume (WQv) and Runoff Reduction Volume (RRv) for the site through complete infiltration as explained in the SWPP, Stormwater management Memo.

The worst-case scenario of a thermal overload event that requires Fire Department response will not lead to any impact to the Aquifer Watershed Zone. BESS fire event responses do not require specialized equipment or fire suppression chemicals. During such events, fire department response recommendations include staging equipment a safe distance from the event, providing cooling to adjacent exposures, when necessary, with water, and acting in a defensive response. When following recommended industry standard emergency response procedures, which include limiting the use of water to cool nearby exposures and prevent spread of fire, the fire run off water will carry no additional materials as the water is not being applied directly to the distressed BESS container, as described above.

Real world BESS thermal runaway events, which have never occurred at a KCE facility, have not found contaminants at levels dangerous to people when emergency response follows recommendations that water is only applied to adjacent

containers or other exposures for cooling purposes. (Water Quality Report, SDG&E Battery Fire, 571 Enterprise Street, 9/5/2024).
The Project has been designed to meet all stormwater standards by the state. Further, the alternative cross section provides an extra layer of protection to ensure fire water run off does not flow directly into water resources inducing erosion or other negative effects.

The Project will include the following fluids with safety features to prevent leak or spillage as noted. A list of all the system chemicals is provided at the end of this section. It should be noted that some of the chemicals in the inventory list are not in liquid state and do not have the risk of leakage that would affect the soils or Aquifer.
BESS Containers: Each battery container is equipped with a dedicated HVAC system designed to ensure stable thermal management under all operating conditions. The system includes 53 gallons of a 50:50 ethylene glycol/water coolant mixture and incorporates a robust, multilayer leak management design. This includes dual pressure sensors, a coolant level sensor, an active leak detection sensor, and automated control system responses that immediately shut down both the pump and primary valve at the first indication of a leak.
In addition, Canadian Solar conducts comprehensive Factory Acceptance Testing (FAT), including full air pressure and leak integrity testing, prior to shipment. This rigorous validation process ensures a low risk, highly reliable HVAC and coolant management system. Canadian Solar has deployed two main product lines since 2023: the SB 1.0 (older product) and SB 3.0 (current product). Both have experienced zero recorded coolant leaks during a combined 25 GWh-years of operation.
Medium Voltage Transformers (MVT) used by the Project will be dry type of transformer with no fluids required.
Maine Power Transformer (MPT) will contain 9,978 gallons of mineral oil. The MPT will include secondary containment and in

the case of a leak the secondary containment will be able to contain 110% of the mineral oil.

KCE NY 34: Chemical Inventory List - *Approximated*						
BESS AREA LIQUIDS						
Equipment	**Equipment Count**	**Compound Name**	**Notes**	**Chemical Qty per unit**	**Chemical Total Qty**	**Chemical Units**
Battery Containers	132	Electrolyte	The electrolyte is a lithium salt dissolved in organic solvents Unlike lead acid batteries, the electrolyte is not a liquid stored in a tank, and it cannot leak because its vapor pressure is lower than the atmosphere, so if exposed to air, is vaporizes.	1,208.6	159,535.2	Gallons
		Refrigerant	R513a for use in commercial HVAC/chiller equipment to cool the batteries and is in gas form at ambient pressure.	17.6	2,323.2	Pounds
		Coolant	50/50 mix of ethylene glycol and water for use by the chiller.	52.8	6,969.6	Gallons
		Led Acid	There is a small quantity of lead acid batteries (usually AGM) onsite for control equipment backup power, similar to a small UPS system.	0.079	0.079	Gallons
Aux Transformers	2	FR3 Natural Esther Dielectric Coolant	Standard small electric transformer	600	1,200	Gallons

			oil, vegetable based, biodegradable.			
SUBSTATION AREA LIQUIDS						
Equipment	**Equipment Count**	**Compound Name**	**Notes**	**Chemical Qty per ea**	**Chemical Total Qty**	**Chemical Units**
Main Power Transformer	1	Mineral Oil	Standard large electric transformer oil.	9,978	9,978	Gallons
Breakers	2	Sulfur Hexaflouride (SF6)	Standard dielectric gas for HV circuit breakers.	111	222	Pounds

d. *For proposed golf courses, a natural resources management plan that assesses natural resources and environmental impacts and provides strategies for addressing natural resources issues. Such a plan shall include the assessment of and plans for wildlife conservation and habitat enhancement; waste reduction and management; energy efficiency; water conservation; water quality management and monitoring; and integrated pest management.*
    i. N/A
e. *A list of all processed wastes, aqueous-carried wastes (except sewage), petroleum, hazardous substances, hazardous wastes, solid waste, and radiological substances to be used, generated, and/or stored on the premises.*
    i. *N/A*
f. A copy of the Project SWPPP **has been provided as Tab 14**.
g. *A statement as to the degree of threat to groundwater and surface water quality that could result if the control measures failed.* ***Refer to item 3.c***
h. *A description of the provisions for the off-site disposal of solid waste, petroleum, radioactive material, hazardous substances, hazardous waste, process waste, and/or aqueous-carried waste (except sewage).*

KEY CAPTURE ENERGY

i. N/A

i. A description of the proposed means of water supply, including, if applicable, an estimate of the total daily groundwater withdrawal rate.

i. N/A- No water supply is required for the proposed facility.

j. The Town Planning Board has copies of all the application materials.

k. A completed short form SEQR Environmental Assessment Form (EAF**) has been provided.**

l. KCE is providing, or will provide, all additional site evaluation information requested by the Planning Board regarding the Project.

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