

DOCKETED	
Docket Number:	24-OPT-05
Project Title:	Corby Battery Energy Storage System Project
TN #:	272562
Document Title:	Matthew Hendrix Comments - Formal Opposition to the Corby BESS Project Critical Unanswered Questions Regarding Public Safety, Liability, Environmental Con
Description:	N/A
Filer:	System
Organization:	Matthew Hendrix
Submitter Role:	Public
Submission Date:	9/10/2026 5:38:18 PM
Docketed Date:	9/11/2026

Comment Received From: Matthew Hendrix
Submitted On: 9/10/2026
Docket Number: 24-OPT-05

Formal Opposition to the Corby BESS Project Critical Unanswered Questions Regarding Public Safety, Liability, Environmental Con

Additional submitted attachment is included below.

Dear Commissioners,

My name is Matthew Hendrix. I am a Solano County resident. I am writing to formally oppose the approval of the Corby Battery Energy Storage System (BESS) project at its proposed site near Kilkenny and Byrnes Roads. This project asks local families to live next to a 300-MW / 1,200-MWh industrial utility complex that could release toxic fumes, burn for days, or contaminate the surrounding agricultural land and water we rely on—a standard that puts our community at risk while the developer walks away with the reward.

Our community is not anti-clean energy; we are simply asking for common sense. A facility with this level of industrial risk does not belong directly across from homes, farms, and rural neighborhoods when viable industrial alternatives exist. The California Energy Commission's (CEC) Staff Assessment and Draft Environmental Impact Report (DEIR) downplay physical safety hazards and improperly defer critical mitigation plans until after certification.

To meet CEQA's mandate for full disclosure and substantial evidence (14 CCR § 15384), the CEC must require the applicant to answer the following specific, unaddressed questions before taking any further administrative action on Docket No. 24-OPT-05:

1. Liability, Decontamination, and Post-Incident Cleanup Funding

Developer-Funded Escrow & Remediation: Does the DEIR establish a legally binding, developer-funded escrow or environmental remediation fund to cover off-site property decontamination, soil replacement, crop loss, and livestock remediation following a thermal runaway or toxic off-gassing event? If not, why is this essential financial assurance deferred until post-approval?

Third-Party Contamination Burden: What specific legal mechanism guarantees that individual homeowners, agricultural producers, and local fire districts will not bear the financial burden of testing, decontaminating, or remediating off-site land, crops, and domestic wells impacted by toxic plumes or hazardous firewater runoff?

Hazardous Post-Incident Waste Handling: Has the DEIR defined the exact threshold for when a fire-damaged or off-gassed battery container constitutes hazardous waste, and which regulatory agency will oversee the immediate containment, transport, and disposal of toxic debris following a multi-day event?

2. Emergency Response, Evacuation Protocols, and Animal Safety

Real-Time Community Warning Systems: A text alert is insufficient when toxic chemical plumes (e.g., hydrogen fluoride, carbon monoxide) can disperse across a neighborhood in minutes. What real-time, automated public warning system—beyond standard cellular texts—is mandated to notify downwind rural residents immediately?

Evacuation Route & Roadway Capacity Modeling: Has the DEIR modeled a worst-case evacuation scenario where a toxic BESS plume forces the closure of narrow rural access

corridors (such as Kilkenny and Byrnes Roads) during a wildfire? How will emergency apparatus access the facility if egress routes are blocked by evacuating residents?

Omission of Animal & Livestock Evacuation: Leaving animal evacuation out of the Emergency Action Plan is unrealistic and unsafe for a rural community. Why does the plan fail to specify operational protocols, staging areas, or transit routes for the emergency evacuation of livestock, farm animals, and domestic pets?

3. Re-Entry Criteria, Water Safety, and Independent Environmental Testing

Independent vs. Developer-Funded Testing: Will the CEC mandate that all post-incident air, soil, and groundwater testing be conducted by independent, certified third-party laboratories reporting directly to local public health officers and regulatory agencies, rather than consultants retained by NextEra?

Quantifiable Re-Entry Standards: What specific, quantifiable screening thresholds for heavy metals, volatile organic compounds, and fluoridated compounds will public health officials use to determine when evacuating residents can safely return to their homes and resume agricultural operations?

Groundwater & Irrigation Well Protection: What baseline testing schedule is required for nearby domestic and agricultural irrigation wells prior to operation, and what is the exact timeline and containment protocol for testing well water downwind after a major fire suppression effort?

4. Baseline Siting Justification & Technical Risk Modeling

Worst-Case Atmospheric Plume Modeling: Does the DEIR contain transparent, peer-reviewed atmospheric dispersion modeling showing the maximum distance a worst-case toxic off-gas plume could travel under local weather inversions and strong wind events before reaching hazardous exposure thresholds for humans and livestock?

Cascading Thermal Runaway Prevention: What empirical, full-scale burn data (rather than computer simulations provided by the manufacturer) was utilized in the DEIR to prove that a thermal runaway event in one container will not cascade to adjacent units under local high-ambient-temperature conditions?

Industrial Siting Alternatives: Given that placing an industrial facility on agricultural land overrides local zoning and Measure T protections, why did the DEIR fail to thoroughly evaluate alternative sites in established industrial parks (such as Lambie Industrial Park) where homes are not situated directly across the driveway?

Conclusion

Until long-term safety, independent monitoring, clear evacuation protocols, and guaranteed cleanup funding can be proven, the Corby project should not be built at this site. I urge the California Energy Commission to reject the current Staff Assessment, require the developer to fully answer these unaddressed safety and liability questions, and evaluate safer industrial alternative sites.

Thank you for your time and consideration.

Sincerely,

Matthew Hendrix