

BEFORE
THE OHIO POWER SITING BOARD

- - - - -

In The Matter of The	:	
Application of	:	
Circleville Solar, LLC,	:	
for a Certificate of	:	
Environmental	:	
Compatibility and	:	Case No. 21-1090-EL-BGN
Public Need For The	:	
Construction of a Solar	:	
Powered Electric	:	
Generation Facility in	:	
Pickaway County, Ohio	:	

- - - - -

DEPOSITION OF GARY CAMERON

- - - - -

Taken at Pickaway County Prosecutor's Office
203 South Scioto Street
Circleville, OH 43113
March 24, 2023, 1:53 p.m.

- - - - -

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A P P E A R A N C E S

ON BEHALF OF CIRCLEVILLE SOLAR, LLC:

Bricker & Eckler LLP
100 South Third Street
Columbus, OH 43215
By Karia A. Ruffin, Esq.
Kara H. Herrnstein, Esq.

ON BEHALF OF PICKAWAY COUNTY ENGINEER AND JACKSON
AND WAYNE TOWNSHIPS:

Pickaway County Prosecutor's Office
203 South Scioto Street
Circleville, OH 43113
By Robert A. Chamberlain, Esq.

Friday Afternoon Session

March 24, 2023, 1:53 p.m.

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S T I P U L A T I O N S

- - - - -

It is stipulated by counsel in attendance that the deposition of Gary Cameron, a witness herein, called by NextEra Energy and Circleville Solar, LLC, for cross-examination, may be taken at this time by the notary pursuant to subpoena, that said deposition may be reduced to writing in stenotypy by the notary, whose notes may thereafter be transcribed out of the presence of the witness; that proof of the official character and qualification of the notary is waived.

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(Exhibits returned to Ms. Ruffin.)

1 GARY CAMERON

2 being first duly sworn, testifies and says as
3 follows:

4 CROSS-EXAMINATION

5 BY MS. RUFFIN:

6 Q. All right. Well, good afternoon. My
7 name is Karia Ruffin. I'm an attorney with -- for
8 NextEra and Circleville Solar project, and I will
9 be taking your deposition today.

10 A. Okay.

11 Q. Through this deposition, I'll be
12 referring to the Circleville Solar project as
13 "Circleville," "Solar," or "Project." So if I use
14 those terms, will you understand?

15 A. I do.

16 Q. Okay. Can you state your full name for
17 the record.

18 A. Gary Cameron. It's C-a-m-e-r-o-n.

19 Q. And your residential address?

20 MR. CHAMBERLAIN: That's okay.

21 A. (Redacted).

22 Q. And have you ever been deposed before?

23 A. I have.

24 Q. Okay. And so as you know, the process

1 will be that I will ask you questions like an
2 interview, and it would be your duty to respond to
3 them under oath, the oath that you just took. So
4 please provide complete answers and instead of
5 shaking your head "yes" or "no," respond "yes" or
6 "no."

7 A. I understand.

8 Q. Okay. Before we begin, I just want to
9 reiterate that you took an oath that requires you
10 to tell the truth, the whole truth, and nothing
11 but the truth. Do you understand?

12 A. I do understand.

13 Q. And this is the same oath that you
14 would have taken if you were to testify in court.
15 Do you understand that?

16 A. I do understand.

17 Q. And are you on any medications or
18 suffer from any medical conditions that would
19 prevent you from answering questions accurately or
20 truthfully today?

21 A. I am not and do not.

22 Q. On occasion, I may ask you a question
23 that you may not understand. If that happens,
24 then please feel free to let me know, and I will

1 try my best to rephrase the question.

2 A. Certainly.

3 Q. And if you need a break, just let me
4 know. If I'm in the middle of a question, I will
5 complete my question, and then we can take a break
6 at that point.

7 A. I understand.

8 Q. And are you being represented by legal
9 counsel today?

10 A. I am.

11 Q. One more thing here. Sometimes you may
12 give an answer to a question that I ask, and then
13 later on during our time together, you may realize
14 that it wasn't a complete answer or you want
15 something else to include in that answer. If that
16 occurs, then you can just let me know, and we can
17 revisit that answer.

18 A. I understand.

19 Q. Did you do anything to prepare for your
20 deposition today?

21 A. I did. I just briefly looked through
22 my computer file to find the memo, which you know
23 of, as being filed with the Ohio Siting Board.
24 I'm not sure I'm saying that right. But I found

1 that, and then I also was able to find the
2 prepared response that I received from Circleville
3 Solar.

4 Q. And did you meet with anyone to prepare
5 for your deposition today?

6 A. I have met with my counsel, and there
7 was a meeting yesterday afternoon at the
8 commissioners' office, which I just simply
9 informed them that I would be sitting for a
10 deposition today.

11 Q. Okay. Do you know who was present?

12 A. Commissioner Wippel; Commissioner
13 Scherer; their clerk, Angela Karr; the county
14 administrator, April Dengler.

15 Q. Okay. And during that conversation,
16 what was discussed?

17 A. Well, I felt it was my duty to inform
18 them that I would be deposed. I think that there
19 were some uncertainty as to whether the
20 deposition, mine or perhaps theirs, would occur.
21 And I'm not involved in their side, but I was just
22 simply informing them so they knew that I was
23 going to be here with you today.

24 Q. Okay. Was there anything else that was

1 discussed?

2 A. Not really. Well, I should say not
3 while I was there, so...

4 Q. Okay. And did you receive notification
5 of this deposition?

6 A. I did.

7 Q. Okay. I have Circleville Exhibit A.

8 - - - - -

9 Thereupon, Circleville Exhibit A is marked
10 for purposes of identification.

11 - - - - -

12 Q. Have you seen this document?

13 A. I have. This was shared with me
14 through my counsel.

15 Q. Okay. And do you understand what it
16 is?

17 A. Well, I understand it to be a subpoena,
18 which much of my life -- my life experience were,
19 like, criminal case subpoenas and whatnot. So
20 it's a little different in that regard, but I
21 think it's for the same purpose, to -- for the
22 deposition we're here for today.

23 Q. Okay. And did you provide -- or did
24 you bring with you any documents pursuant to this

1 subpoena?

2 A. I did.

3 Q. Okay. Can you identify what those
4 documents are.

5 A. I brought two. The first document
6 would be the letter of information that I prepared
7 last year, and then the second document that I
8 brought with me was a copy of the response that I
9 received from Circleville Solar.

10 Q. So I have what is Circleville's
11 Exhibit B.

12 - - - - -

13 Thereupon, Circleville Exhibit B is marked
14 for purposes of identification.

15 - - - - -

16 Q. And have you seen this document before?

17 A. Let me briefly look at it.

18 Q. Sure.

19 A. Other than the last page, which is
20 really just some kind of formal thing, this is the
21 letter in which I referred to that -- the letter
22 of information that I referred to just a moment
23 ago that I prepared regarding solar projects.

24 Q. And through this -- remainder of this

1 deposition, I will be referring to this document
2 as the letter. So if I say "the letter," would
3 you know what --

4 A. I understand.

5 Q. -- I'm referring to?

6 A. Sure.

7 Q. And did you file this document with
8 Ohio Power Siting Board?

9 A. I did not.

10 Q. Okay. Do you know -- oh. Did you
11 submit this document as a public comment?

12 A. I did not. I'm happy to explain
13 further.

14 Q. Okay.

15 A. I think you're searching --

16 Q. That's fine.

17 A. -- for something there. I certainly
18 wrote -- authored this letter.

19 Q. Yeah.

20 A. But my purpose in my involvement in
21 this letter was to inform my supervisors and
22 nothing more.

23 Q. Okay.

24 A. How it was filed or the process in

1 which it got filed with the siting board, I'm not
2 aware of.

3 Q. I understand.

4 A. I do now know obviously that that did
5 occur, but how that occurred, I don't know.

6 Q. Okay. So if we just step back, you
7 drafted this letter; is that correct?

8 A. Yes, ma'am.

9 Q. Okay. And what was the purpose of
10 drafting the letter again?

11 A. It was within the spirit of my position
12 as the emergency management agency director for
13 Pickaway County.

14 Last year, when I first accepted this
15 position, there were a lot of signs along the
16 roadways throughout the county where people were
17 seemingly, based on the language on the signs,
18 protesting the idea of solar projects. The signs
19 -- I think they were all pretty much the same. It
20 just said no solar on farmland or something of
21 that iteration. I don't -- you know, that's
22 essentially what they all said.

23 Q. Uh-huh.

24 A. So having further conversations about a

1 project, I think that I know of it as the Atlanta
2 solar project -- that it was soon to become -- to
3 grow into Pickaway County. And the conversations
4 I had with my bosses was that there's a public
5 perception issue that the public doesn't
6 necessarily like or want solar panels, and what
7 does that mean to emergency management and how we
8 prepare for structures or entities such as an
9 industrial solar farm?

10 Q. Okay. When you referred to your
11 bosses, who are you referring to?

12 A. Well, I have really just a couple --
13 few. So April Dengler is the county
14 administrator, and she is my direct supervisor.
15 My -- you could say, I think, within the Pickaway
16 County structure of government that the county
17 commissioners are also my supervisors. So that
18 would be Gary Scherer, Jay Wippel, and Harold
19 Henson.

20 Q. Okay. So did anyone ask you to draft
21 this letter?

22 A. They did not.

23 Q. And once you drafted the letter, what
24 did you do with it then?

1 A. My intent was to inform them, my
2 bosses, as to what the public perceptions were and
3 what risks to emergency management, if any, were
4 present or would be part of a solar project.

5 Q. Okay. So once you drafted the letter,
6 how then did you distribute the letter?

7 A. I emailed, I'm fairly confident --
8 not 100 percent, but I emailed this to my boss,
9 the county administrator, and I also emailed it
10 likely to Angela Karr, who is the clerk for the
11 commissioners.

12 Q. Okay. And from there, do you know how
13 the letter was further distributed?

14 A. I don't.

15 Q. Okay.

16 A. I can only -- I don't. I mean, I would
17 just be assuming something --

18 MR. CHAMBERLAIN: Yeah.

19 A. -- and I shouldn't assume.

20 Q. Okay. And just to clarify, you're --
21 are you aware of how -- or who filed the letter
22 with Ohio Power Siting Board?

23 A. I am not.

24 Q. And did you write the letter in your

1 personal capacity or in the capacity of director
2 of EMA of Pickaway County?

3 A. Certainly as the director of emergency
4 management.

5 Q. Did any person or organization provide
6 or promise to provide you with payment or
7 compensation or an incentive in exchange for
8 drafting the letter?

9 A. At no time.

10 Q. Is any person or organization paying
11 for your legal fees for this case?

12 A. Well, the -- certainly, the County
13 represents me. So my counsel is here being paid
14 for by the County. That relationship, however, is
15 written out in the state code, so I enjoy the
16 luxury of having representation through the county
17 prosecutor's office.

18 Q. And I understand that you did not file
19 the letter, nor do you know who filed the letter,
20 but do you know why it was filed with the Ohio
21 Power Siting Board?

22 A. Honestly, I don't. I haven't really
23 had extensive conversations -- I was aware of at
24 some time over the last year that it was filed.

1 There have been a couple of other solar
2 projects -- the companies who are attempting solar
3 projects reach out to me. So it became quite
4 obvious that it was filed with the siting board,
5 but I really haven't inquired or sat down with my
6 bosses to inquire why or how it got filed.

7 Q. And is the letter related to any
8 particular solar project?

9 A. No.

10 Q. So this letter is drafted with regard
11 to any solar project?

12 A. Yes. I essentially was looking at it
13 as an issue, not a project of any sort.

14 Q. So I have a few questions about the
15 letter specifically we're going to go through.

16 A. Certainly.

17 Q. So in the letter, you wrote that solar
18 power facilities pose a direct risk of physical
19 harm and death to birds, waterfowl, and bats; is
20 that correct?

21 A. Could you point to me or help me?

22 Q. Sure. So I am in the first section,
23 under "Environmental Concerns."

24 A. Okay.

1 Q. That first bullet point.

2 A. I see what you're referring to.

3 Q. Okay. Would you agree that you wrote
4 that solar power facilities pose a direct risk of
5 physical harm and death to birds, waterfowl, and
6 bats?

7 A. That's not exactly how it's worded, but
8 I would agree with the -- with the concept there.
9 The difference being that the sentence is pose a
10 direct risk of physical harm to -- and death to
11 birds and waterfowl.

12 Q. Uh-huh.

13 A. But then there at the end, I suggested
14 you could add other flying mammals, such as bats,
15 to that group.

16 Q. Okay. And so that statement that you
17 just explained, was there any information that you
18 had to support the truth of that statement?

19 A. I gathered this information off of an
20 extensive search of the internet on this subject.
21 And so these are not necessarily a direct quote of
22 those things, but an accumulation of that
23 information which I gathered.

24 Q. Okay. Was there any particular

1 websites that you used to gather this information?

2 A. I suspected you would want to know the
3 answer to that, and I have to tell you that as I
4 was crafting this letter, at no time did I
5 conceive that it would -- we would be here today.
6 And so I really did not make any effort to
7 document or record those websites which I was
8 visiting. I was simply seeking out as much
9 general information as I could on the subject of
10 industrial solar farms, and I did not -- did not
11 save or capture any of that.

12 Q. Okay. What studies, if any, did you
13 conduct related to the information that you added
14 that we just reviewed?

15 A. So by "study," I mean, what do you...

16 Q. Any type of scientific studies or
17 observations --

18 A. Yeah.

19 Q. -- to collect that information.

20 A. So if, by "study," you mean, did I
21 maybe search for information available on the
22 internet, yes. I did study it in that regard. If
23 you're referring to perhaps maybe an academic,
24 scientific study where I was taking measurements

1 and studying birds, no, I did not.

2 Q. And did you retain any consultants or
3 third parties to conduct any studies related to
4 this information?

5 A. I have not.

6 Q. And have you shared this information --
7 and what I mean -- "this information," I mean
8 regarding the statement that you made earlier
9 regarding the birds. Have you shared this
10 information with anyone outside of just drafting
11 this letter?

12 A. As I mentioned earlier, I've shared it
13 with my supervisors. And, obviously, it's been
14 shared more widely after it went to the siting
15 board, but I didn't have part in that. But no, I
16 have not made any further effort to share this
17 information.

18 Q. And when you shared it with your
19 supervisor, was it outside of submittal of this
20 letter?

21 A. I don't understand what you're asking
22 me there.

23 Q. So you drafted this letter and
24 submitted it to your supervisor. Was there any

1 other communication other than the letter that you
2 made with the supervisor in regards to this
3 information?

4 A. No, not really. I mean, I may possibly
5 have said, hey, I've written something on solar
6 farms to share with you, but we haven't discussed
7 in detail any of the bullet points here.

8 Q. Okay. So in the letter, you wrote that
9 solar facilities pose a direct risk of physical
10 harm and death to small mammals, rodents, and
11 insects; is that correct?

12 A. I think the bullet here you're
13 referring to states smaller mammals, rodents, and
14 insects are also at risk of physical injury and
15 death.

16 Q. Okay. And what information do you have
17 to support the truth of that statement?

18 A. This followed the same pattern as the
19 previous statement regarding birds and waterfowl.
20 I was conducting just a general search on the
21 internet for as much information as I could find
22 about industrial solar farms, and this was part of
23 that information. I haven't conducted any
24 scientific studies personally, you know, to verify

1 or validate that information.

2 Q. Okay. And can you recall any of the
3 websites that you visited to support that
4 statement?

5 A. I cannot.

6 Q. Did you conduct any investigation or
7 studies or research that supports that statement?

8 A. I personally have not, other than the
9 obvious -- I did search the internet for that
10 information.

11 Q. And did you retain any consultants or
12 third parties to conduct any studies?

13 A. I did not.

14 Q. And have you shared this information
15 with anyone outside of submitting this letter?

16 A. As I mentioned with the other bullet
17 point, I've shared that with my supervisors and
18 had conversations with other solar agencies --
19 solar developers, but I did not personally share
20 it with the siting board or the other solar
21 developers.

22 Q. In your letter, you wrote that there
23 are numerous articles proclaiming a positive
24 impact on pollinators, i.e. bees, as an offset to

1 pesticide use.

2 A. Can you -- I see it. It would be the
3 third bullet point down.

4 Q. That's right.

5 A. Yes, I did write that.

6 Q. Is that your current belief today?

7 A. That information, like the others, came
8 from the information I collected off the internet,
9 and I hold that out to be what I've learned
10 through that process.

11 Q. In the letter, you wrote that,
12 "...without a deliberate incorporation of new
13 pollinator habitat into the new solar farm
14 project, the original risk associated with the
15 project remain unbalanced"; is that correct?

16 A. Yes.

17 Q. And do you have any documents to
18 support that statement?

19 A. I don't.

20 Q. And did you perform any investigation
21 or research to support that statement?

22 A. I did not.

23 Q. Did you conduct any studies or retain a
24 consultant or third party to conduct studies to

1 support that statement?

2 A. I did not.

3 Q. And did you communicate that
4 information to anyone outside of this --
5 submitting this letter?

6 A. Other than what we've already
7 discussed. I mean, I hate to repeat myself, but
8 if you're okay with it, I'll just keep saying it.

9 Q. Okay.

10 A. But I've shared it with my bosses.
11 Obviously, other solar developers are now aware of
12 it because it went to the siting board.

13 Q. Okay. In the letter, you wrote that,
14 "Wildlife behavior response to a large solar farm
15 is yet to be fully realized"; is that correct?

16 A. Yes.

17 Q. Is that your current belief today?

18 A. That is what I learned from my
19 information gathering on the internet.

20 Q. In the letter, you wrote,
21 "...displacement will occur as wildlife avoid the
22 area under construction and the return of many is
23 unlikely with new structures...."

24 Is that correct?

1 A. I did write that.

2 Q. What investigation or research did you
3 do to conduct on this issue [sic]?

4 A. As before, my effort was to gather
5 information available on the internet.

6 Q. Any studies or -- did you retain
7 consultants or third parties to conduct this study
8 to support the statement?

9 A. I did not.

10 Q. And did you share this information with
11 anyone outside of drafting this letter?

12 A. I have. I've shared it with my
13 supervisors and now am aware that other solar
14 developers are aware of this information.

15 Q. In the letter, you wrote, some wild
16 animals may risk injury as they cannot detect or
17 recognize new structures; is that correct?

18 A. That is correct.

19 Q. What investigation or research did you
20 do or conduct to support this statement?

21 A. I conducted a search for information on
22 the internet.

23 Q. What studies, if any, did you conduct
24 or did you retain any consultants or third parties

1 to conduct any of these studies?

2 A. I did not retain any consultants, and I
3 -- nor did I conduct any scientific studies on
4 that matter.

5 Q. And have you shared this information
6 with anyone outside of drafting the letter?

7 A. I have. I've shared it with my
8 supervisors and am now aware that other solar
9 developers are aware of this information, too.

10 Q. In the letter, you wrote that, "...this
11 displacement will cause increases in population
12 density elsewhere and have a cascading effect on
13 food availability, reproduction and adverse
14 interactions with humans."

15 So there's a lot in that statement. I
16 can go through each one of those, but -- so just
17 let me know if you need me to. But if not, the
18 question for that statement is: Did you conduct
19 any investigation or research to support this
20 statement?

21 A. I've only searched the internet for
22 information on solar projects, and I've not
23 conducted any scientific studies, nor have I
24 retained any third parties or consultants to do

1 such studies.

2 Q. Have you conducted any studies or have
3 you retained any consultants or third parties to
4 conduct studies to support this statement?

5 A. I have not.

6 Q. And have you shared this information
7 with anyone outside of drafting this letter?

8 A. I have shared it with my supervisors
9 and am now aware that other solar developers are
10 aware of this information.

11 MS. RUFFIN: Just hold one second.

12 (A discussion is held off the record.)

13 (A short recess is taken.)

14 Q. So with respect to all of the concerns
15 set forth in this letter, did you perform any
16 investigation or research to support those
17 concerns?

18 A. So we're talking about the whole
19 document here, then?

20 Q. The entire document.

21 A. If you don't mind, I'd like to just
22 look through, just so I can make sure --

23 Q. Absolutely.

24 A. -- I answer fully.

1 Q. Yes.

2 A. So the answer to your question is that,
3 as I mentioned before, for the vast majority,
4 nearly all of this letter and its bullet points
5 and contents, the information I have prepared here
6 was gathered off the internet just for
7 informational purposes so I could prepare this.
8 There are a couple of bullet points here, though,
9 that I could expand upon further that there was a
10 little extra on my part, beyond just looking at
11 the internet.

12 Q. Okay. So addressing the statements and
13 concerns that were based off of your research on
14 the internet, based on those concerns, was it
15 limited to your research on the internet, and were
16 there any other studies done to support those
17 statements?

18 A. I certainly did not conduct any extra
19 scientific studies, nor did I consult with anyone
20 to do so. I will tell you that for the fire
21 hazard bullet point and the anhydrous ammonia
22 bullet point and the batteries bullet point, I did
23 have limited conversations with a group of fire
24 chiefs in the county about those concerns.

1 Q. Okay. So let's start with the first
2 bullet point.

3 A. That would be the fire hazard bullet
4 point?

5 Q. Correct.

6 A. Okay.

7 Q. So was there any information that you
8 gathered to support the statements in the fire
9 hazard section of your letter?

10 A. I did discuss the concept of industrial
11 solar farms with the fire chiefs in the county.
12 Not all, but the ones who would have been in
13 attendance at one of their regular meetings. And
14 at that time, you know, I was relying on them as
15 experts. They certainly are not experts on
16 industrial solar farms, but they are experts on
17 firefighting and wildfires and ignition sources.

18 And while they didn't necessarily
19 provide me with this exact language, it was
20 combined with my efforts of searching the internet
21 for information. And so I can tell you that their
22 comments likely weighed on the terminology and the
23 things in which I've written in this letter.

24 Q. Okay. And can you just identify who

1 you spoke with.

2 A. The Pickaway County Fire Chiefs'
3 Association. The fire chief from Pic-A-Fay -- and
4 that's P-i-c, A, F-a-y -- Fire Department is the
5 president of that organization.

6 Q. Anyone else that you spoke with?

7 A. I would have to defer to his meeting
8 agenda minutes to see who was there. I didn't
9 write down who it was that was present at the
10 time.

11 Q. Okay. And so did you have this
12 conversation at a public meeting?

13 A. Yes.

14 Q. Do you know when that conversation
15 occurred?

16 A. It would have been in this time frame.
17 March and April of 2022.

18 Q. And just to clarify, what public
19 meeting was it?

20 A. The Pickaway County Fire Chiefs'
21 Association.

22 Q. Are there any other public meetings
23 that you had a similar discussion with?

24 A. No, not that I recall.

1 And I was going to add to this. You
2 went to the first bullet point, but I think my
3 responses would be similar when talking about
4 anhydrous ammonia and batteries.

5 The anhydrous ammonia became an issue
6 because there's a lot of it which is transported
7 about the county, especially during the farming
8 season, so it's an important chemical. It kind of
9 falls within my hazmat duties as the EMA director
10 as well. And so I am sure I had conversations
11 with them much like I did with the fire ignition
12 sources and that sort of thing. And then the
13 batteries.

14 The topic of batteries is important to
15 us because we're entering an era of electronic --
16 electric vehicles and whatnot. Lithium batteries
17 are more prevalent in our society today, and so we
18 had a further discussion about whether or not --
19 because frankly we probably -- just as a group, I
20 know I didn't. I'm speaking for them maybe a
21 little bit here. But we probably didn't know what
22 industrial solar farms would be bringing to us.
23 And so if lithium batteries were part of that,
24 that was a concern that we would want to carry

1 forward.

2 Q. So with anhydrous ammonia, the concern
3 there was the transportation throughout the
4 county?

5 A. From my perspective.

6 Q. Okay.

7 A. And I'm kind of extending a little bit
8 beyond this letter just to say I'm talking as the
9 EMA director --

10 Q. Uh-huh.

11 A. -- who involves themselves in hazardous
12 materials. It's a commonly used substance in
13 farming, and so it's traveled about and
14 transported on a fairly regular basis in the
15 community --

16 Q. Okay.

17 A. -- being a rural community.

18 Q. Okay.

19 A. And so the nexus there with industrial
20 solar farms is that it's our understanding that
21 much of the property which is being seen or
22 targeted as locations for industrial solar farms
23 is or was agricultural use beforehand. And so you
24 likely have a scenario where an industrial solar

1 farm is probably next to a field of corn and
2 whatnot. And so what does it mean if the farmer's
3 using anhydrous ammonia that close to the solar
4 farm? That sort of thing.

5 Q. And so what is your concern as it
6 relates to this issue?

7 A. Well, my concern is that we, as a
8 community, collectively, are looking at that issue
9 and ensuring the safety of the community. And so
10 while I am not the expert in the interactions
11 between solar farms and anhydrous ammonia, I'm
12 certainly the guy who has to plan for real and
13 perceived risks in the community.

14 And so I would rely on -- then in these
15 three topics, I would rely on the fire chiefs
16 heavily on their expertise as far as fires and
17 disasters and explosions and things.

18 Q. So have you identified any concern as
19 it relates to Circleville Solar project in
20 relation to fire hazard?

21 A. I have not specifically looked at risks
22 or concerns related to Circleville Solar. I think
23 that my letter here kind of stands as a -- just a
24 general effort to provide information about risks,

1 not specific to Circleville Solar.

2 Q. What about a risk to any solar project?

3 A. I think that the letter does speak to
4 that, that -- and, really, that was, to some
5 extent, part of my initial effort, was to look for
6 information regarding risks that have been seen or
7 observed or perhaps dispelled elsewhere by looking
8 through the internet.

9 Q. Okay. So based -- is there any other
10 statements in this letter that you would not have
11 categorized as pulling them from the internet and
12 based on your research of the internet?

13 A. I have scanned through this, and I
14 don't recall any other source or -- of
15 information. Obviously, I didn't conduct any --
16 personally conduct any scientific studies or ask
17 for them. So it's my assessment here that other
18 than talking with the fire chiefs about the few
19 bullet points we've discussed, all of this
20 information was gathered off the internet for
21 informational purposes.

22 Q. Okay. And was there any effort made to
23 ensure the credibility of the information or the
24 websites that you used to make these statements?

1 A. Well, credibility is important to me.
2 I did not take just one source or one writing and
3 use that without some type of corroborating
4 information.

5 My recollection is that it was
6 beneficial to me to find news articles relating to
7 solar -- industrial solar farms, and those news
8 publications -- and most of them were
9 national-level or regional-level news entities. I
10 mean, we're not talking about the -- you know, the
11 ma-and-pa newsletter on the street corner. I
12 mean, these were time -- I mean, these were large
13 magazines and newspapers.

14 And what I found and what I recollect
15 from how I was conducting this
16 information-gathering was that news articles would
17 then point me towards where they've gathered their
18 information, and I was able to go to those sources
19 and read those. And so I can tell you that I did
20 make a concerted effort to find multiple, more
21 than one, source for much of this information.

22 Q. Did you review any academic
23 publications --

24 A. I did.

1 Q. -- to support -- okay.

2 Do you recall --

3 A. Yeah.

4 Q. -- which ones they are?

5 A. So on page 4, you'll see that I
6 actually made a note. So TCLP testing, and that's
7 important to me as a hazardous material person
8 with EMA to understand and know what TCLP testing
9 was. And so I had to make an effort really to, to
10 some extent, educate myself on what that was.

11 And so I was able to find a study
12 published by the National Institute of Health, and
13 that study not only educated me somewhat on what
14 the testing process was, but it also was related
15 to solar. And there were some concerns out of
16 that study that perhaps previous TCLP studies on
17 panels may not have been -- I'm going to throw out
18 the word "accurate."

19 Q. Uh-huh.

20 A. They probably use a different term in
21 there. So I think that study, though, as I
22 understand it, today really just brought into
23 question as to the effectiveness of TCLP testing
24 and perhaps more work needed to be done in that

1 regard.

2 As I've educated myself through the
3 process of drafting this letter, I think that I've
4 learned not just from this work but also some of
5 the feedback we've received from other industrial
6 solar projects that the panel construction is
7 changing.

8 Q. Uh-huh.

9 A. And that the industry is making an
10 effort to address those issues that were brought
11 up regarding the TCLP testing.

12 Q. Did you make any effort to find
13 information that contradicted the statements that
14 you made in this letter?

15 A. So I've included some of that here, and
16 I hope you've noticed it. But, I mean, if you go
17 to page 1 -- and, obviously -- I've got my sheets
18 all backwards here.

19 So page 1, you know, I've said a couple
20 of things which are favorable, and you'll notice
21 that when I talk about, you know -- that there's a
22 positive impact on pollinators and that some of
23 the articles which I've read suggested that the
24 best practice for a solar farm project such as

1 this would be to build in -- I called it green
2 space.

3 I mean, build in some -- and then I
4 talked about real estate values and things that
5 while people had some grave concerns about the
6 value of their homes next to a solar farm, that
7 there really wasn't any information that supported
8 that well. And so long as the industrial project
9 built in some fencing and earthwork and things,
10 you know -- so I think you can see if you read
11 through here that I did bring forward information
12 which was favorable to industrial solar projects.

13 Q. And so --

14 A. And if I could just add --

15 Q. Sure.

16 A. -- one more thing to that...

17 Q. Sure.

18 A. If you look -- I hate to be
19 long-winded.

20 Q. No. You're fine.

21 A. When you look at the human health
22 concerns, I think there are a lot of -- there's a
23 perception in the community that, you know,
24 electromagnetic radiation and things, you know.

1 If it's next door to me and it's emitting these
2 rays -- and I think you'll see that I actually
3 wrote in here that -- let me find the language.

4 And it says, the current consensus on
5 the risk of exposure is minimal, you know. So I
6 did make an effort, as you suggest, to bring
7 forward those things which could be favorable.

8 Q. The statement in that second bullet
9 point, while viewed as a very low risk,
10 electromagnetic radiation is considered a
11 carcinogen...

12 MS. HERRNSTEIN: Carcinogenic.

13 Q. Carcinogenic.

14 A. I'm with you. It's a tongue-twister.

15 Q. Is that a statement that you pulled
16 from the internet?

17 A. It is. And, likewise, the statement --
18 and I quoted there, and I'm sure I've quoted some
19 source that I found while gathering information on
20 the internet that there is no evidence that solar
21 panel radiation causes cancer.

22 Q. Okay. So could you clarify your
23 understanding -- as the director of EMA of Pickaway
24 County, your belief with respect to this

1 statement.

2 A. So with regards to the relationship
3 between solar panels, electromagnetic radiation,
4 and any perceived cancer risks, I think that it's
5 my understanding from the information I've
6 gathered that the risk is either -- there's no
7 evidence or it's a very low risk, and I don't have
8 any reason to believe otherwise.

9 Q. During your research on the internet,
10 did you come across or do you recall coming across
11 any information from the Citizens for Responsible
12 Solar?

13 A. I don't know who that is.

14 Q. And is it your belief that the negative
15 safety and ecological impacts listed in your
16 letter are likely to occur?

17 A. Can you help me -- help direct me to
18 what you're referring to?

19 Q. So just in general.

20 A. Okay.

21 Q. The letter -- in your letter, you
22 stated some negative impacts to safety and
23 negative impacts to the environment, ecological
24 life. Is it your understanding that these impacts

1 are likely to occur?

2 A. In my profession and in my beliefs here
3 is it's about measuring and understanding involved
4 risks. And so if I've said something which goes
5 beyond that, that really wasn't my intent. My
6 intent was to identify, based on available
7 information, what risks are presented by having
8 industrial solar projects in the county.

9 Q. Okay. So it's my understanding that
10 this letter is not necessarily an opinion of your
11 belief as it relates to these concerns, but more
12 of just information that you've acquired; is that
13 correct?

14 A. I think -- well, I think, personally,
15 they kind of go hand-in-hand. I mean, if I'm
16 conducting research and gathering information,
17 I've gone to the effort to write it on paper, then
18 I'm, to some extent, developing opinions. I had
19 no preconceived opinions on solar projects until I
20 underwent this task. And so in large part, as you
21 said, I'm relaying information, but I stand behind
22 what I've written here as well.

23 Q. So can you provide your belief on the
24 environmental impacts of solar development.

1 A. Other -- I don't really know that I
2 have any strong personal beliefs to share with you
3 because I've not really had experience with the
4 solar farm. I've driven past the solar farm known
5 as Atlanta. I've driven past one out in Madison
6 County. But my beliefs really are what's
7 contained within this letter, to be honest with
8 you.

9 Q. So, previously, you had communicated
10 that for the most part, these statements is a
11 result of research you performed on the internet.
12 Are you stating that you are adopting these
13 statements as to be true?

14 MR. CHAMBERLAIN: I think that might be
15 a slight mischaracterization of his statements, at
16 least as a whole. We have a lot of information
17 here, so -- I'm sorry. I guess I should have
18 started with an objection. I apologize about
19 that.

20 But just maybe if that -- if you could
21 break that down some, because you have a lot of
22 different areas, and he's identified one -- or
23 three specific areas where he had more
24 information --

1 MS. RUFFIN: Uh-huh.

2 MR. CHAMBERLAIN: -- other than just
3 internet research and -- I mean, asking his
4 opinion, I certainly understand --

5 MS. RUFFIN: Uh-huh.

6 MR. CHAMBERLAIN: -- trying to do that,
7 but maybe just doing it in smaller pieces might
8 be --

9 MS. RUFFIN: Yeah.

10 MR. CHAMBERLAIN: -- appropriate.

11 THE WITNESS: And I'm happy to try to
12 tackle that, but, I mean, I agree with --

13 MR. CHAMBERLAIN: Well, if you're
14 comfortable with it, that's fine.

15 BY MS. RUFFIN:

16 Q. Yeah.

17 A. So my personal beliefs really don't
18 weigh into this for me. These are professional --
19 this is a professional letter written by me. It's
20 a letter of information which I -- was intended to
21 help do my part in educating my supervisors on
22 potential risks or anything of that matter related
23 to industrial solar farms.

24 Q. Uh-huh.

1 A. So having undertaken this endeavor of
2 gathering information off the internet and hoping
3 to be able to corroborate, you know, sources and
4 statements and things people made, certainly
5 there's a wealth of information out there. I
6 would not have written it in this letter if I
7 didn't feel like it was a genuine -- and
8 characterize as a risk or an issue to be looked at
9 and addressed.

10 And I'm not holding this out as being
11 the know-all thing to know about solar --
12 industrial solar projects, but if, in helping the
13 community through this process, I can identify
14 those things which need to be further discussed,
15 then I think that we've championed the cause much
16 further along.

17 So my belief -- I believe in that these
18 issues should be discussed at length -- belief --
19 I believe these are genuine things I've written
20 here. Are they the final word or final say on any
21 specific item listed in here? Probably not.

22 Q. Okay. Understood. So you had
23 mentioned that your bosses informed you of --
24 public perception was against solar and that you

1 observed that yourself; is that correct?

2 A. Yeah. And I think that that
3 conversation really just kind of centered on all
4 of the signs which were out along the roadways.

5 Q. So were you asked by your bosses to
6 identify safety or emergency management reasons to
7 oppose the project?

8 A. No.

9 Q. How familiar -- well, excuse me.
10 Before I go to this next question, I do have
11 questions about the conclusion --

12 A. Sure.

13 Q. -- of the letter. So in the conclusion
14 portion of your letter, you write that you foresee
15 there will be solar panel related hazardous waste
16 incidents on our roads and our landfills and on
17 our solar farm locations; is that correct?

18 A. It is.

19 Q. Okay. And what information did you use
20 to support that statement?

21 A. This conclusion really is the
22 culmination of the information I've gathered off
23 the internet and that I've written within this
24 letter.

1 Q. So could you explain why you wrote that
2 you foresee hazardous-related waste incidents on
3 the roads.

4 A. Based on the information that I've
5 gathered -- and, again, it's not specific to any
6 industrial solar project. It's just the general
7 information that I found. And my understanding of
8 that research was, you know, it spanned across the
9 last couple of decades of solar farms being a
10 thing in our society.

11 What I perceive as the emergency
12 management director, the risk which concerns me
13 the greatest are the elements in the substances,
14 the heavy metals and things which could be in a
15 solar panel. And so if you're transporting those
16 solar panels on a roadway and the truck gets -- is
17 involved in an accident, that certainly could
18 quite be a hazardous material response.

19 Likewise, if you are installing solar
20 panels, you know, as part of the project, it's my
21 understanding there's a certain percentage of
22 panels which are broken or damaged during the
23 process of installation. Where do they go? And
24 then I've also read on the internet, and I recall

1 reading on the internet, that there were concerns
2 where solar farms, industrial solar projects such
3 as this elsewhere in the country -- where they
4 would take damaged or broken solar panels and just
5 put them in a pile.

6 And you have to go back to the TCLP
7 testing discussion that we had that if, in fact,
8 those panels are ones that perhaps would not pass
9 that testing process, were left in a pile of
10 broken somewhere, that the potential for heavy
11 metals and things to leak out into the environment
12 is a very -- it may be a low in occurrence risk,
13 but it's certainly a high in dangerous outcome
14 risk.

15 And so I think that when you read that
16 statement from me, I'm simply trying to convey
17 that based on the information I've gathered as the
18 EMA director, I think that is probably the most
19 important concern that I have, is what happens to
20 damaged solar panels, and how are they handled --
21 are they handled well?

22 Q. Okay. So this is a concern that you've
23 identified?

24 A. I think -- I think that's a fair

1 statement.

2 Q. In the letter, you go on to write that,
3 the most serious of which is the creation of a
4 hazardous waste Superfund site resulting from a
5 pattern of illness and death; is that correct?

6 A. I did write that.

7 Q. And so what information or
8 investigation or research did you conduct to
9 support that statement?

10 A. Well, it -- as we've discussed, it
11 really was just a culmination of the information
12 gathering that I've conducted. I will tell you
13 that I own that sentence in its entirety. I don't
14 know that I've read that written in such a way by
15 someone else.

16 And so if we carry the discussion
17 further on broken and improperly disposed of solar
18 panels that perhaps do not pass the TCLP testing
19 and are leaking out heavy metals, you can't walk
20 down to a creek or you can't walk down to a pond
21 and see the impact of that because it's not
22 something that presents itself visually.

23 And so we just don't know. I mean, if
24 there is a pile of broken solar panels sitting

1 behind a barn somewhere and nobody's bothered to
2 dispose of them properly, well, it may take years
3 for those metals to leech out of there. But when
4 they do, and we likely won't know until people
5 start developing illnesses or injuries or perhaps
6 death, and that's a very worst case, bad scenario
7 that I don't think any of us want. I don't think
8 that the people I've interacted with on these
9 industrial solar projects want that, I don't think
10 that the health officials in the county want that,
11 and certainly I don't.

12 Q. And are you aware of a particular
13 instance of improperly disposed solar panels
14 resulting in these types of impacts?

15 A. I can't tell you specifically, but I
16 did read about such situations while I was
17 conducting my information gathering on the
18 internet.

19 Q. And do you recall --

20 A. I --

21 Q. -- what website that was or --

22 A. I wish I could tell you, but at the
23 time, I really wasn't thinking in terms of sitting
24 in a deposition and having to provide that for

1 you.

2 Q. You go on to write that you foresee
3 events including transportation accidents and
4 wildfires; is that correct?

5 A. Yes.

6 Q. Okay. And so what investigation or
7 research did you do to support that statement?

8 A. Much like -- so, again, this is a
9 culmination of the other various bullet points
10 we've talked about. That particular subject,
11 while the transportation accidents is just
12 something that I have presented because we do
13 often respond to hazardous material accidents on
14 the roadways, the wildfire issue, however, you
15 know, as we've mentioned earlier also was part of
16 a discussion that -- a general discussion that I
17 had with fire chiefs in the county.

18 Q. Okay. And could you describe that
19 discussion regarding wildfires.

20 A. So we literally were discussing, in
21 general terms, the concept of solar -- industrial
22 solar farms, and, you know, firefighters, their
23 main focus is fires.

24 And so the only detail that I can kind

1 of remember, just to give you right here off the
2 top of my head, is that we spent quite a bit of
3 time talking about the vegetation underneath the
4 panels. There would be a lot of heat sources and
5 perhaps electrical connections nearby. And so
6 during dry times, maybe a drought, that that is
7 perhaps a very dangerous or very high risk time
8 for wildfires.

9 And then we had some conversation about
10 how they would navigate their large equipment
11 through the solar farms and that, you know, at
12 some point during a project, that a solar farm
13 should probably consider that the firemen are
14 going to want to drive a 40,000-pound engine.

15 Q. And are you aware of an actual wildfire
16 that has occurred as a result of a solar farm or
17 solar project?

18 A. No. We do not have any solar projects
19 in the county other than maybe a small portion in
20 Atlanta, but I'm not aware of any occurring as of
21 today.

22 Q. Okay. And you had mentioned that there
23 could be scenarios where there's brush or
24 vegetation underneath the solar panel and there's

1 a heat source. Could you describe what you mean
2 by the "heat source."

3 A. Well, I was kind of relaying a
4 discussion that we were having -- a general
5 discussion we were having at that fire chiefs
6 meeting, you know. And I think perhaps somebody
7 who -- a layperson, somebody who doesn't have a
8 great deal of experience with solar farms would
9 look and say, well, you're capturing sunlight.
10 Obviously, there's heat involved. The level which
11 that heat radiates down, I don't know.

12 Q. Okay.

13 A. But, certainly, there are also
14 electrical connections. I mean, there has to be a
15 way for the solar panel to plug into a wire which
16 goes to somewhere where the electrical current is
17 gathered. So we talked about that kind of stuff.

18 Q. Okay. But are you aware of how the
19 panels are structured and if there would be
20 electrical wires exposed?

21 A. So I think my general understanding --
22 and, really, it's just kind of part of this whole
23 process of gathering information -- is that those
24 connections are buried underground, which likely

1 minimizes the risk of fire. I don't know that it
2 eliminates the risk of fire, but certainly if the
3 wires are buried, if it's contained within the
4 post of the solar panel and goes under the ground,
5 well, I think we're in a much safer condition.

6 Q. Uh-huh. And so is it your
7 understanding that the solar panels are a heat
8 source?

9 A. I don't know that I'm holding that out
10 there as a fact. I think that there's a risk, and
11 I think that without further communication and
12 consultation that that risk remains. And so that
13 really is kind of up to, you know, us, to society
14 in general, you know, who are installing
15 industrial solar farms to have further discussions
16 on that.

17 Q. So in your last statement in the
18 letter, do you still believe that proper planning
19 and training of first responders may mitigate
20 these issues?

21 A. I also included the word "regulation"
22 there. So it is my statement that proper
23 planning, regulation, and training of first
24 responders can mitigate many of the issues that

1 I've identified in this letter.

2 Q. Are there any issues that you feel like
3 -- that cannot be mitigated?

4 A. I don't think that planning regulation
5 and training would necessarily resolve any
6 environmental concerns as it relates to perhaps
7 displacement of wildlife and maybe the risk to
8 wildlife.

9 I mean, that's something that, you know
10 -- you can't train a bird not to look at a solar
11 panel and be unable to recognize it, you know,
12 that sort of thing. So, I mean, I think there are
13 things here that are low risk, but still remain.
14 But certainly a lot of the issues are things we
15 can talk about and work on together.

16 Q. So is there anything other than the
17 wildlife concerns that you feel --

18 A. Well --

19 Q. -- like cannot be mitigated?

20 A. I mean, that was just the easy one came
21 to mind, but, I mean, I think that, you know, fire
22 -- a fire hazard -- you know, I would have to
23 defer to the chiefs as experts, but I suppose that
24 as much planning and effort that we take, there's

1 always a risk of fire in any structure poses a
2 risk.

3 The impact on humans, you know, there
4 are a couple things in there as far as radiation
5 and toxic chemicals leeching out that we can
6 certainly plan and regulate and do well with that,
7 but, you know, I don't know that we can 100
8 percent eliminate it.

9 And then obviously -- and I think this
10 is probably the most challenging things at times
11 is, you know, what the community's perception is
12 of industrial solar farms. And I can't fix that
13 for you. I mean, I -- you know, if 1,000 people
14 down State Route 22 put signs out that they don't
15 want it, you know, I can tell them we've
16 communicated and discussed risk and tried to
17 mitigate those things, but in the end, I don't
18 have any control over that, so...

19 Q. Are the risks that you identified in
20 this letter -- are they the same for any type of
21 development?

22 A. This was a unique endeavor for me. And
23 so while maybe other industrial projects share
24 some concerns, I mean, you could certainly say

1 that an industrial warehouse with 1,000 -- or a
2 million square feet displaces animals, you know.
3 There are some things here which are truly unique
4 to industrial solar farms.

5 Q. Have you ever drafted a letter like
6 this in response to any other type of development?

7 A. I have not.

8 Q. Okay. Have you distributed any letter
9 other than this letter in a public meeting or to
10 the public?

11 A. Well -- so after the meeting I had with
12 the fire chiefs, I was involved with them as they
13 crafted a letter kind of expressing their concerns
14 from a fire perspective. If I've shared that with
15 others, I can't, here today, tell you who exactly
16 that was, but I likely -- I likely shared that
17 letter with my bosses. But as far as public
18 meetings and distributing it to the community at
19 large, no.

20 Q. Okay. So just to clarify, you were
21 involved with drafting a letter with the fire
22 chiefs?

23 A. I was.

24 Q. Okay. Do you know if that letter was

1 published?

2 A. I have some belief that it, too, was
3 shared with the siting board. I can tell you that
4 there was another solar project developer who
5 responded back to that, and I'm not sure how they
6 would have seen or heard or known of that letter
7 had it not been filed with the siting board.

8 Q. Do you have a copy of that letter?

9 A. I likely have it electronically, but I
10 don't have it with me today. It was not from
11 Circleville Solar. It was -- I think what I have
12 on file is a response from another developer.

13 Q. Okay.

14 A. So...

15 Q. So was it --

16 MS. HERRNSTEIN: Is that the Scioto
17 Farms case; do you remember?

18 THE WITNESS: Probably.

19 MS. HERRNSTEIN: Okay.

20 THE WITNESS: I think they are -- I
21 think they are the other group or entity that's
22 responded back to me, so...

23 MS. HERRNSTEIN: Sorry. I just wanted
24 to --

1 Q. Yeah. I was just going to say, so
2 it's --

3 A. You probably have that --

4 Q. -- your understanding -- okay.

5 A. Yeah.

6 Q. I just want to make sure that there was
7 another letter --

8 A. Yeah. But I just --

9 Q. Yeah.

10 A. I didn't want to, you know --

11 Q. Uh-huh.

12 A. -- hide the fact that I was there. I
13 was part of that conversation.

14 Q. Okay.

15 A. And the president of the fire
16 association, you know, is not a Microsoft Word
17 expert, so...

18 Q. So how familiar are you with the
19 Circleville Solar application?

20 A. All I can tell you is that I know that
21 there is one, that there was a project planned.
22 And I'm just going to tell you. I think it's out
23 on 22, but if I've got the wrong one, I don't
24 know. And that's about it, to be honest with you.

1 I really don't think that I've -- I digress. So
2 there is a consultant that is part of this
3 project --

4 Q. Uh-huh.

5 A. -- that I have had phone conversations
6 with. The last conversation I had with him a
7 couple weeks ago, and I believe he's probably
8 retained by the Circleville project group, was
9 just that we likely were just going to move
10 towards a deposition. And so it wasn't really --
11 didn't involve any facts of any great interest.

12 Q. So do you recall the name of the
13 individual that you spoke with?

14 A. I could -- I could look for it, but I
15 don't have it.

16 Q. So is it your understanding that this
17 was a consultant that was hired by the project?

18 A. Yes.

19 Q. Okay.

20 A. Absolutely.

21 Q. And was it Jim Samuel? Does that sound
22 familiar?

23 A. Yes, that does sound familiar.

24 Q. Was it Jim Samuel?

1 A. I can't tell you 100 percent, but that
2 was --

3 Q. Okay.

4 A. I think he lives in Central Ohio, and I
5 think -- he's reached out a couple of times, and I
6 think he probably was part of the conversations
7 early on with regards to this letter. And I think
8 that, you know, initially, he probably reached out
9 to me probably in mid-2022 to just let me know --
10 wanting to carry the conversation forward and
11 prepare a response. But that's about all I know
12 about Circleville Solar, is just him, the response
13 that I received, and here we are today.

14 Q. And just to clarify, the conversation
15 that you had with the consultant who we believe
16 is --

17 A. Jim Samuel.

18 Q. -- Jim Samuels. When is the first time
19 you had a conversation with --

20 A. I'm going to say mid-2022.

21 Q. Okay.

22 A. And my recollection is, is that he was
23 wanting to set up a meeting just to have a
24 conversation. And then the last conversation I

1 had with him was just a couple weeks ago, just
2 checking in, letting me know that we'd be here
3 today, kind of deal.

4 Q. And so have you had a conversation in
5 mid-2022 and then just a few weeks ago. Are there
6 any other conversations?

7 A. I recall an email. I'm not sure if he
8 sent it to me personally or if it came from
9 someone else, but there was an email inquiring --
10 wanting to know -- and I apologize for the train.
11 It's a fairly regular occurrence here. The city
12 shuts down when the trains come through.

13 I apologize. Going back, there was an
14 email, and I'm not sure if it was directly from
15 him or somebody who was also involved in those
16 conversations in 2022 wanting to know my response
17 to the Circleville response, which was published.
18 And I relayed at that time that it was not my
19 position to provide some assessment as to whether
20 Circleville's response was -- had satisfied our
21 concerns.

22 That wasn't my position to begin with.
23 I simply was on an information finding tour here
24 to be able to educate myself and my supervisors.

1 And so my response back at that time was that I
2 can't respond in an affirmative because I was
3 being asked to say is that Circleville's response
4 was thorough and complete, and I just -- it's not
5 -- I'm not making decisions like that. I'm not a
6 decision-maker in that regard.

7 Q. So are you referring to the response?

8 A. I am.

9 Q. Okay. So just to clarify, when you
10 mentioned that you were contacted about the
11 response, was that a response to -- was that a
12 response the project had to your letter?

13 A. It's my belief that that was the
14 response from Circleville Solar to the letter that
15 I've written that somehow was sent to the Ohio
16 Siting Board.

17 MR. CHAMBERLAIN: Yeah. Can we go off
18 the record just one minute.

19 (A discussion is held off the record.)

20 Q. So the response that you were contacted
21 -- is this the response that you're referring to?
22 And I'm marking this document as Circleville Solar
23 Exhibit C.

24 - - - - -

1 Thereupon, Circleville Exhibit C is marked
2 for purposes of identification.

3 - - - - -

4 A. While I do not recognize the first
5 page, certainly the remainder of the document is
6 what I recognize to be the response, as I
7 indicated earlier.

8 Q. Okay. And did you review that
9 response?

10 A. What do you mean by "refuse"?

11 Q. Review. I'm sorry.

12 A. Oh, review?

13 Q. Did you review this response?

14 A. Oh. I have looked at it, but I have to
15 admit that I've scanned it in large part. I
16 haven't necessarily committed much of it to
17 memory.

18 Q. Okay. And so your response to the
19 request for some type of opinion on it, can you
20 just explain again what your response was.

21 A. Sure. So as I remember the email
22 conversation, it was likely from Jim Samuel or the
23 consultant or somebody affiliated with them and
24 that it was to the effect that, hey, have -- did

1 you receive the Circleville response? What did
2 you think of it? Do you think you could render
3 some sort of response to the effect that the
4 information provided by Circleville Solar
5 satisfied the concerns which were presented in my
6 original letter?

7 And my response -- and I still hold
8 that view today -- is that I'm not a
9 decision-maker in this process as far as whether
10 the response is or isn't satisfactory. My effort
11 really was just to educate myself as the EMA
12 director, educate my supervisors on what an
13 industrial solar farm means as far as risks to the
14 community and to the environment.

15 Q. Okay. Do you view the information
16 provided in this response as additional
17 information to educate yourself on a solar
18 project?

19 A. It's my belief -- while I didn't read
20 it word for word, it's my belief that there was
21 great effort undertaken to respond back to a lot
22 of these issues. There is much information here
23 that still -- that is new to the discussion.

24 Q. So do you take a position on whether

1 the -- Circleville Solar poses a risk to the
2 community?

3 A. I have not. And I will just say that
4 my letter is a general interest letter. It wasn't
5 specifically targeted or steered towards
6 Circleville Solar.

7 Q. Okay. Have you had any other
8 conversation with the project regarding
9 Circleville Solar?

10 A. No, ma'am. Other than today, that's...

11 Q. On -- I believe it was April 19th. The
12 Pickaway County commissioners held a public
13 meeting, and there was a comment stated that there
14 was a memo submitted to Ohio Power Siting Board by
15 yourself. Do you recall that or do you have any
16 information related to that?

17 A. So this would have been April of 2022?

18 Q. Correct.

19 A. And -- well, the letter obviously is
20 dated April 5th, so I would have given this letter
21 to my supervisors on or about that date. As far
22 as comments made that it was submitted, I have
23 some recollection that my supervisors may have
24 said, hey, we've sent that along, but I --

1 honestly, to today, I don't really even understand
2 the Ohio Siting Board process, you know. It
3 wasn't something that I wanted to really study in
4 depth. I have a lot of other issues that I deal
5 with from day to day, so...

6 Q. So you recall there was reference made
7 to a memo submitted to Ohio Power Siting Board on
8 that meeting?

9 A. At some point, I became aware that it
10 was sent for, but I can't tell you with any
11 certainty when or how that happened.

12 Q. Okay. Was that reference to this
13 letter that we've been discussing today or was
14 there any other --

15 A. No.

16 Q. -- memo?

17 A. It was just in reference to the letter
18 I authored on April 5th, 2022.

19 Q. Have you had any conversations with
20 county residents regarding the Circleville Solar
21 project?

22 A. Wow. I have not. I -- honestly, I
23 don't -- I haven't sought anyone out. I don't
24 know that I've attended any public meetings where

1 it was discussed, and I don't recall anybody ever
2 calling or talking know about it. So I guess if
3 you threw my supervisors in there as county
4 residents; other than them, not that I can think
5 of.

6 Q. Have you received any written
7 communications from Pickaway County residents
8 regarding Circleville Solar project?

9 A. Not that I can recall.

10 Q. So have we already discussed every
11 potential issue with the project that you have
12 identified?

13 A. We've thoroughly discussed the
14 April 5th letter, and I appreciate the opportunity
15 to have this conversation. I am not aware of any
16 risks or concerns that have been brought forward
17 since that time. And so there's no residual or
18 remaining issue that we haven't identified that
19 I'm aware of.

20 Q. Is there anything else that you believe
21 we should discuss today?

22 A. No, ma'am.

23 Q. And do you take a position on whether
24 Circleville Solar should receive a certificate

1 from the Ohio Power Siting Board?

2 A. I honestly have no position. I am not
3 a decision-maker in that process. And so if they
4 do receive that which you speak of, my job would
5 be to just make sure that any risks that come from
6 that are minimized or if not negated.

7 Q. Okay.

8 A. So I may have a future role, but as far
9 as a role right now as to whether it's approved or
10 not, that's not anything that I have any say in.

11 Q. All right. I don't have any further
12 questions. Thank you.

13 A. Thank you.

14 - - - - -

15 CROSS-EXAMINATION

16 BY MR. CHAMBERLAIN:

17 Q. So I just have a few questions. And I
18 don't know if -- so, Gary, I'm just going to ask
19 you very few follow-up questions. I think you
20 pretty well articulated everything.

21 But you make mention as part of the
22 your position as EMA director, you are concerned
23 about risks in the community, obviously. And so
24 one of the things you testified to is

1 high-risk/low-frequency events.

2 A. Right.

3 Q. And can you just explain what you mean
4 by high-risk, low -- high-risk/low-frequency
5 events and how you can, as the EMA director, kind
6 of prepare for those kind of things or...

7 A. Sure. If I could use a tornado, you
8 know. If we are talking about high risk,
9 certainly thunderstorms and rain, like we're
10 having today, are risky, but not risky to where,
11 you know, there's a high chance of serious
12 physical harm or death.

13 However, if a tornado drops out of the
14 school in a thunderstorm, then certainly the
15 high-risk element arrives and it's something to
16 contend with. Thunderstorms are fairly frequent.
17 Tornadoes are low frequency. And so if you'll
18 allow me to use that analogy, I think that it
19 works.

20 And so in my business, you know, there
21 are many things which are high-frequency. Car
22 crashes are high-frequency. Car crashes with
23 hazardous materials are perhaps low-frequency, but
24 high-risk. And so that's kind of what I mean by

1 that.

2 Q. Very good. Thank you. And you had
3 mentioned when you were at a public meeting with
4 the Pickaway County Fire Chiefs' Association, and
5 you think that meeting was around March or
6 April of 2022. And that's when you really
7 discussed these three points that were in your
8 memo that you had additional information other
9 than the significant internet research that you've
10 had; is that correct?

11 A. Yes.

12 Q. Okay. And when were you appointed as
13 the EMA director? Do you remember or even what
14 year? That's okay if you maybe don't know the
15 month, but --

16 A. March of 2022.

17 Q. -- March --

18 A. March of 2022.

19 Q. Okay. So it would have been roughly
20 very soon thereafter that you --

21 A. I was very new.

22 Q. Okay. Very new.

23 A. Still had the wrapper on.

24 Q. Okay. And it's the only type of

1 development that you have drafted any kind of
2 letter of concern? Is that an accurate statement?
3 I believe you testified to that.

4 A. That is true.

5 Q. Okay. And it kind of goes hand in hand
6 with what you were saying, and I don't want to
7 misrepresent anything. But you testified that the
8 reason for this letter -- first of all, let me ask
9 you: And just to double-check, did anyone ask you
10 to prepare this letter?

11 A. No.

12 Q. Okay. And so you felt as the EMA
13 director it was something that you needed to check
14 into?

15 A. That is correct.

16 Q. And as an EMA director, has there been
17 any other development or potential development in
18 Pickaway County since you were appointed that you
19 felt that you need to take such action?

20 A. No, there hasn't.

21 Q. Okay. And I think you did make it
22 clear in your statement that these are things that
23 you wrote down that needed to have further
24 discussion, was the first thing you said; is that

1 correct?

2 A. That is true.

3 Q. And, secondly, that you identified
4 those as genuine; is that correct?

5 A. That is true.

6 Q. All right. And, finally -- famous last
7 words for an attorney, but I think one final
8 question. As the EMA director, is it your
9 position not to make final judgments on situations
10 such as this as far as concerns if they've been
11 alleviated?

12 A. I'm not sure I fully grasp what you're
13 asking.

14 Q. Okay. That was probably a horrible
15 question. I'll try it again.

16 So as the director of EMA, as you were
17 preparing this information and sent this
18 information to your supervisors, at any point in
19 time did you feel -- or even today, do you believe
20 that it is your position to make a decision if it
21 is -- any responses to it have satisfied your
22 concerns or if you believe that it's ultimately a
23 position that you can take one way or another if
24 this project or any other project in the county

1 presents a threat?

2 A. Well, I think as the EMA director, I
3 have an obligation to recognize and identify
4 threats as they develop.

5 Q. Okay.

6 A. It's not in my position -- and I think
7 I testified to it -- that while I'm providing this
8 information, I don't feel or believe or see my
9 position as the EMA director to be making further
10 decisions based on the quality or the -- of the
11 responses or the decisions thereafter.

12 Q. Okay. And I think that's what I was
13 trying to get to. I'm glad you were able to
14 muddle through my horrible question.

15 A. No. It was a good question.

16 Q. So I think that will conclude my
17 questions. Thank you.

18 - - - - -

19 FURTHER CROSS-EXAMINATION

20 BY MS. RUFFIN:

21 Q. Just a couple follow-up questions.

22 A. Sure.

23 Q. You stated that in your position, it's
24 your responsibility to identify a threat; is that

1 correct?

2 A. I refer to them as risks.

3 Q. Okay.

4 A. So threats are a little more immediate.
5 And so if there is a true threat out there in the
6 community, I mean, I would hope the police and
7 fire would tackle that. So I get -- I hang up my
8 hat in that regard, and so risks are a little
9 safer for me these days.

10 Q. Okay. So my question was: Do you
11 perceive the Circleville Solar as a threat?

12 A. I don't know, because I don't -- I
13 haven't seen the actual project. And I'm sure
14 there's a body of work involved in that and
15 probably a lot of experts you would have to talk
16 to in order to come to that conclusion.

17 Q. And one more question. You had
18 explained high-risk/low-frequency. Have you come
19 to some conclusion about the classification of the
20 Circleville Solar project with regards to it being
21 high-risk/low-frequency?

22 A. I have not.

23 Q. Is there any amount of information
24 Circleville Solar could provide that would cause

1 you to express satisfaction that the concerns of
2 the matter have been alleviated?

3 A. No. And I'll just say that, again, I
4 don't see my position as the person who would
5 accept and digest -- or digest that information
6 and render some sort of opinion. And I think
7 that's important for me because that's not my role
8 in the community. So I'm happy to accept any
9 information from Circleville Solar, and I see my
10 position as forwarding that to my supervisors for
11 them to evaluate.

12 Q. But there has to be some level of
13 information that you would receive to determine --
14 okay.

15 MS. HERRNSTEIN: No further questions.

16 MS. RUFFIN: No further questions.

17 MS. HERRNSTEIN: Yeah.

18 MR. CHAMBERLAIN: Okay.

19 (Signature not waived.)

20 - - - - -

21 Thereupon, the foregoing proceedings

22 concluded at 3:49 p.m.

23 - - - - -

1 State of Ohio : C E R T I F I C A T E
2 County of Franklin: SS

3 I, Craig Ross, RPR, CRR, a Notary Public in
4 and for the State of Ohio, do hereby certify the
5 within named Gary Cameron was by me first duly
6 sworn to testify to the whole truth in the cause
7 aforesaid; testimony then given was by me reduced
8 to stenotypy in the presence of said witness,
9 afterwards transcribed by me; the foregoing is a
10 true record of the testimony so given; and this
11 deposition was taken at the time and place as
12 specified on the title page.

13 I do further certify I am not a relative,
14 employee or attorney of any of the parties hereto,
15 and further I am not a relative or employee of any
16 attorney or counsel employed by the parties
17 hereto, or financially interested in the action.

18 IN WITNESS WHEREOF, I have hereunto set my
19 hand and affixed my seal of office at Columbus,
20 Ohio, on April 5, 2023.

21 

22 Craig Ross, RPR, CRR, Notary Public - State of
23 Ohio My commission expires July 7, 2026.
24

Witness Errata and Signature Sheet
 Correction or Change Reason Code
 1-Misspelling 2-Word Omitted 3-Wrong Word
 4-Clarification 5-Other (Please explain)

Page/Line	Correction or Change	Reason Code
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I, Gary Cameron, have read the entire transcript of my deposition taken in this matter, or the same has been read to me. I request that the changes noted on my errata sheet(s) be entered into the record for the reasons indicated.

Date_____Signature_____

Ref: CR308013GC

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**This foregoing document was electronically filed with the Public Utilities
Commission of Ohio Docketing Information System on**

4/6/2023 4:01:28 PM

in

Case No(s). 21-1090-EL-BGN

Summary: Deposition Transcript of Gary Cameron filed by Circleville Solar, LLC
electronically filed by Teresa Orahoad on behalf of Herrnstein, Kara.