

# **York County Council Public Forum**

## **Petition to Revoke Silfab Solar Permits**

**May 19, 2025**

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## SECTION 1

### **Silfab Solar Is Not Light Industrial (YC Ordinance 155.1239)**

**Lana Vivant**

If you are here tonight in support of Move Silfab, please stand.

The more I learn about Silfab's operations, the more I struggle to comprehend how they were able to get permits as Light Industrial. The information provided to the county initially must have been limited or misleading. We know that permits or approvals may be revoked prior to completion. Now is the time to act.

Their proposed methods far exceed limitations of Light Industrial Zoning:

- Over 500,000 lbs of hazardous chemicals, flammable and combustible liquids and gases, much of which is outside.
- Air pollution control devices, such as Wet Acid Scrubbers with a 50-foot stack.
- Onsite Waste Water Treatment using 1 million gallons of water per day in their chemical manufacturing lines.

That is NOT Light Industrial per the Zoning Code. Light Industrial does not include hazardous **material** treatment and storage facilities. This term is different than another defined term 'Hazardous Waste Storage or Treatment Facility'. Light Industrial should not have hazardous materials, period.

While Silfab appeals the BZA's correct decision, York County, CAN and SHOULD revoke construction permits issued to Silfab. The BZA concluded there was an administrative error.

§ 155.1239 states a permit or approval may be revoked at any time prior to completion when it is determined that either: (1) There is departure from the plans; (2) The permit was procured by materially incorrect information; (3) The permit was issued in error; or (4) Any of the provisions of this Chapter are being violated. This development checks all of those boxes.

Now you have plenty of information about the true nature of Silfab's operations. You have reports from reputable and independent third-parties. Do the right thing and Move Silfab!

With no administrator approval present, please revoke Silfab's permits.



## ***SUBCHAPTER A: INTRODUCTION***

### **§ 155.001 TITLE.**

This Chapter is known and may be cited as the Zoning and Development Standards Ordinance of York County, and may be cited and abbreviated as the “York County Zoning Code” or the “Zoning Code.”

### **§ 155.002 PURPOSE.**

The purposes of this Chapter are to:

- (A) Implement the Comprehensive Plan;
- (B) Protect, promote, and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the County by providing for the orderly development of land within the county;
- (C) Lessen congestion in the streets;
- (D) Secure safety from fire, panic, and other dangers;
- (E) Provide adequate light and air;
- (F) Prevent the overcrowding of land;
- (G) Avoid undue concentration of population;
- (H) Protect scenic areas;
- (I) Facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements;
- (J) Promote desirable living conditions and the sustained stability of neighborhoods;
- (K) Protect property against blight and depreciation;
- (L) Secure economy in governmental expenditures;
- (M) Conserve the value of land and buildings;
- (N) Enforce the most appropriate use of land and buildings and structures;
- (O) Conserve natural and environmental resources;
- (P) Preserve agricultural land and working farms;
- (Q) Protect historical and cultural resources;

- (R) Protect neighborhoods from incompatible development;
- (S) Accommodate housing that is affordable for the County's entire spectrum of households;
- (T) Establish zoning districts with regulations that protect their character and their peculiar suitability for particular uses; and
- (U) Establish procedures for processing development applications that encourage appropriate and streamlined land use decisions.

**§ 155.003 AUTHORITY.**

This Chapter is adopted pursuant to the authority conferred by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Title 6, [Chapter 29](#), as amended.

**§ 155.004 APPLICABILITY.**

- (A) The regulations in this Chapter apply to all land and improvements thereon in the unincorporated areas of York County, South Carolina.
- (B) This Chapter applies to any land, buildings, structures, or uses of the County or its agencies or instrumentalities.
- (C) Governmental entities are subject to this Chapter as provided in S.C. Code [§ 6-29-770](#).

**§ 155.005 RELATIONSHIP TO COMPREHENSIVE PLAN.**

- (A) Pursuant to S.C. Code [§ 6-29-720](#), this Chapter is intended to implement the goals, objectives, and policies of the Comprehensive Plan, as adopted or as it may be amended from time to time. York County finds this Chapter to be consistent and in accordance with the Comprehensive Plan.
- (B) Any amendments to this Chapter, including any rezoning approved pursuant to Subchapter E: *Procedures*, shall be made in accordance with the adopted Comprehensive Plan in effect at the time of such request for amendment. An amendment to the text of this Chapter is consistent with and in accordance with the Comprehensive Plan if it complies with the goals and policies stated in the Comprehensive Plan, as it may be amended from time to time.

**§ 155.006 RELATIONSHIP TO OTHER REGULATIONS.**

- (A) This Chapter works in conjunction with [Chapter 154: Land Development Code](#) and the other chapters in York County Code Title XV: Land Usage to regulate the development, redevelopment, and use of land and structures in the county.

## Exhibit 1.1a Zoning Code Chapter 155 155.002 Purpose

SUBCHAPTER A: INTRODUCTION

§ 155.007 RESERVED.

(B) The use and development of land and structures is subject to all applicable requirements of this Chapter, Chapter 154, and all other applicable requirements of the York County Code and state and federal law.

(C) In their interpretation and application, the provisions of this Chapter are considered the minimum requirements adopted for the promotion of public health, safety, comfort, convenience, and general welfare. Meeting minimum requirements of this Chapter may not be sufficient to meet minimum requirements of Chapter 154 or other chapters of the County Code or state or federal law.

(D) When applicable regulations conflict with one another, the provisions of Subchapter I, Part 1: *Rules of Interpretation* apply.

**§ 155.007 RESERVED.**

**§ 155.008 RESERVED.**

**§ 155.009 RESERVED.**

**§ 155.010 RESERVED.**

**§ 155.011 RESERVED.**

**§ 155.012 RESERVED.**

**§ 155.013 RESERVED.**

**§ 155.014 RESERVED.**



(C) **Permitted, Conditional, and Special Exception Uses.** See Subchapter C: *Use Regulations*.

**§ 155.040 RI (RURAL INDUSTRIAL).**

(A) **Purpose.**

(1) The Rural Industrial District (RI) accommodates, in areas outside the Urban Services Boundary (USB), industrial uses that:

- (a) Are compatible with rural character;
- (b) Do not require urban services, such as water and sewer; and
- (c) Typically require large land areas and separation from residential uses or where the primary activities typically occur outdoors.

(2) Whenever possible, this district should be separate from residential districts by natural or structural boundaries such as drainage channels, sharp breaks in topography, strips of vegetation, traffic arteries, and similar features.

(3) RI is appropriate for areas outside the USB that are designated as Agriculture on the Comprehensive Plan Future Land Use Map, but is not necessarily appropriate in all areas with this designation.

(4) RI may be appropriate in or adjacent to areas designated as Rural Center on the Comprehensive Plan Future Land Use Map.

(B) **Dimensional Standards.** See Subpart 2.2: *Base District Dimensional Standards*.

(C) **Permitted, Conditional, and Special Exception Uses.** See Subchapter C: *Use Regulations*.

**§ 155.041 LI (LIGHT INDUSTRIAL).**

(A) **Purpose.**

(1) The intent of the Light Industrial District (LI) is to create and protect industrial areas for light manufacturing and distribution.

(2) LI is intended to accommodate less intensive industrial uses with operations primarily conducted indoors. The district's less intensive uses protect nearby residential areas from the encroachment of heavy industrial uses.

(3) Whenever possible, this district should be separate from residential districts by natural or structural boundaries such as drainage channels, sharp breaks in topography, strips of vegetation, traffic arteries, and similar features.

(4) LI is generally appropriate for areas designated as Industrial, Employment Center, or I-77 Corridor Employment on the Future Land Use Map.

(B) **Dimensional Standards.** See Subpart 2.2: *Base District Dimensional Standards*.

(C) **Permitted, Conditional, and Special Exception Uses.** See Subchapter C: *Use Regulations*.

**§ 155.042 ID (INDUSTRIAL DEVELOPMENT).**

(A) **Purpose.**

(1) The Industrial Development District (ID) is intended to accommodate the most intensive industrial land uses, which may include mining, waste management, and heavy manufacturing.

(2) Uses allowed in this district typically are not compatible with other, non-industrial land uses and therefore are intended to be separated and buffered from adjacent development.

(3) ID is generally appropriate for areas designated as Industrial on the Future Land Use Map.

(B) **Dimensional Standards.** See Subpart 2.2: *Base District Dimensional Standards*.

(C) **Permitted, Conditional, and Special Exception Uses.** See Subchapter C: *Use Regulations*.

**§ 155.043 RESERVED.**

**§ 155.044 RESERVED.**

**§ 155.045 RESERVED.**

**§ 155.046 RESERVED.**

**§ 155.047 RESERVED.**

**§ 155.048 RESERVED.**

**§ 155.049 RESERVED.**

## Exhibit 1.2 155.1239 Revocation of Permit or Approval

(c) If the buffer area is of insufficient size, width, and depth to support an adequate number of new replacement trees, comply with a plan the Zoning Administrator may authorize or order to provide an increase in the buffer depth beyond the minimum required by this Chapter and/or require the use of larger caliper trees;

(d) Ensure that no new or replacement trees or vegetation are planted within 10 feet of the side property lines outside buffer areas; and

(e) Ensure that, in replanting or replacing trees or vegetation under the mitigation and restoration provisions of this Paragraph, any damage to ground cover vegetation resulting from the use of heavy equipment in the implementation of an approved mitigation and restoration plan is reestablished through reseeding or replacement of damaged vegetation immediately after completion of the planting of new trees or vegetation.

(2) The Zoning Administrator may order, authorize, or approve such additional requirements as may be necessary or appropriate in mitigation, restoration, or replacement plans, including requiring such plans be prepared by an arborist or landscape architect, in order to preserve and protect the buffers established by this Chapter, and to mitigate and restore removed, damaged, or destroyed trees and vegetation within the buffer area.

(3) The mitigation and restoration provisions of this Paragraph shall be cumulative to, and not in substitution or replacement of, any other remedies provided under this Chapter or by law.

(4) Any person who may have a substantial interest in a decision of the Zoning Administrator with respect to a mitigation or restoration decision under this Paragraph, or any County official charged with the enforcement of the County Code, may appeal such decision by filing an application for appeal of an administrative decision in accordance with Subchapter E: *Procedures*.

### § 155.1239 REVOCATION OF PERMIT OR APPROVAL.

(A) **Basis for Revocation.** A permit or approval may be revoked by the Zoning Administrator at any time prior to the completion of the use, building, structure, development, site improvement, or subdivision for which the permit was issued, when the Zoning Administrator determines that one or more of the following conditions is present:

(1) There is departure from the plans, specifications, or conditions as required under the terms of the permit;

(2) That the permit was procured by materially incorrect information;

(3) That the permit was issued in error; or











(4) That any of the provisions of this Chapter are being violated.

(B) **Notice.** Written notice of the revocation shall be served upon the owner, the owner's agent or contractor, or any person employed in the building or structure for which the permit

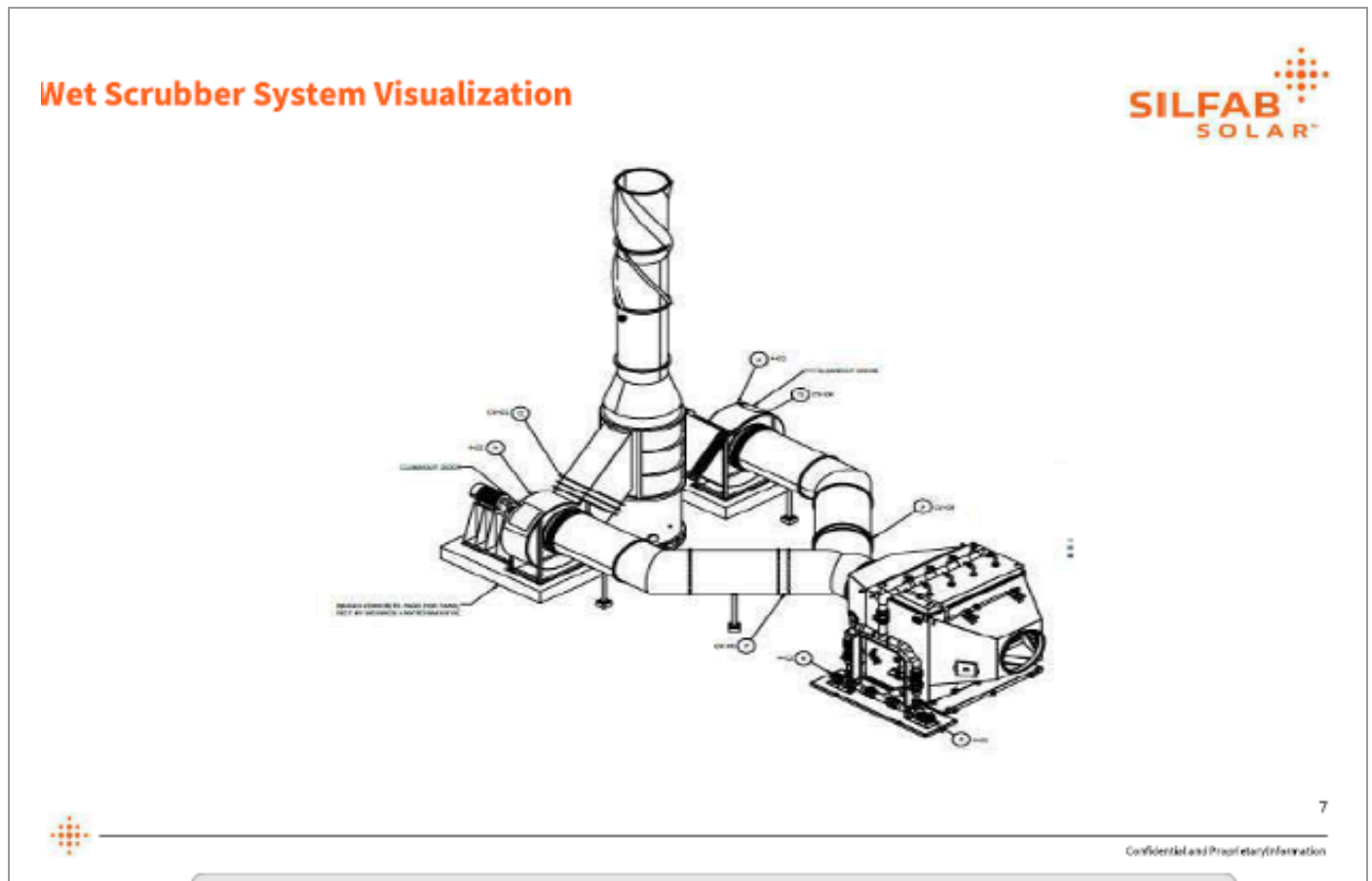


# SILFAB SOLAR'S

## HAZARDOUS CHEMICALS

	CHEMICAL	QUANTITY
	Hydrofluoric acid	145,000 lbs
 	Silane	26,456 lbs
	Anhydrous Ammonia	22,000 lbs
	Potassium Hydroxide	134,000 lbs
	Trimethylaluminium	1,209 lbs
	Phosphorus Oxychloride	801 lbs
	Hydrochloric Acid	105,000 lbs
	Liquid Oxygen	123,851 lbs
	Nitrous Oxide	30,330 lbs

### Exhibit 1.4 Silfab's Wet Acid Scrubber and Stack Drawing



Sourced via FOIA request



## SECTION 2

### USC Health Risk Assessment Phase 2 Summary Brendan McCluskey

Good Evening, If you are here tonight in support of Move Silfab, please remain standing.

Phase 2 of the USC Arnold School of Public Health's report expands on concentrations in Silfab's air dispersion application to DES and also found in Silfab's Risk Management Plan (RMP) for both hydrochloric and hydrofluoric acids. Additionally, there are Globally Harmonized System of Classification and Labelling of Chemicals (GHS) pictograms identifying the meanings of the 4 chemicals of concern and Material Safety Data Sheet (MSDS) for each of those 4. The new radius on these maps incorporates radii & buffers regarding straight line distances, without topographical influence. Worth mentioning is what DES stated in their "response to comments" section of Silfab's air dispersion modeling. The regulator states 23% of the surrounding 3 kilometers area is considered urban, and that is why DES states rural is to be used instead. But Silfab selected urban on their RMP input, but then used rural in their air dispersion modeling. Silfab is keen to use inputs that provide the LOWEST endpoint of toxicity to DOWNPLAY the dangers to the public.

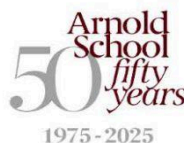
Phase two's report is further VALIDATION of those dangers by experts. USC has no stake in this project and only provides scientific expertise for decision makers. After Silfab's accusations of bias regarding phase one, USC confirmed their figures and sources, which are provided in their footnotes evidencing model inputs originate from DES and Silfab's own reports. I quote from USC "this is significant". Worst case scenarios, as expanded in phase two include Anhydrous Ammonia at 2.2 miles, and Hydrofluoric acid at 2.4 miles, which show this affects both York and Mecklenburg county. Worth noting in the GHS for Hydrofluoric acid are these key points... FATAL if inhaled... FATAL if swallowed ...FATAL in contact with skin.

Those MOST vulnerable are schools, daycares and senior assisted living facilities who depend on safety from leaders. YOU are THOSE leaders. Given the TOXIC chemicals stored by Silfab onsite, there IS the potential to IMPACT more than 50,000 citizens should accidental releases occur.

There is a non-zero chance of an accident. Any chance of accident for any child, parent, senior citizen or any other citizen is NOT worth any commerce generated for this area. USC will continue to provide further impact analysis in subsequent phases this summer. But this council doesn't have to wait for that.

With no administrator approval present, please revoke Silfab's permits.

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report



### Health Risk Assessment – Phase 2 Report

**To:** Citizens Alliance for Government Integrity (CAGI) and the concerned citizens of York County, SC

**From:** Department of Environmental Health Sciences and Department of Epidemiology, Division of Biostatistics, University of South Carolina, Arnold School of Public Health

**Subject:** Preliminary results from the US EPA's RMP\*Comp Tool Worst Case Scenario Analysis for silane, anhydrous ammonia, hydrochloric acid (37%), and hydrofluoric acid (50%).

**Date:** 09 May 2025

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**Introduction:** In response to the co-location of nearby population with the Silfab Solar manufacturing site in Fort Mill, SC, specifically, the planned zoning for more than 1,500 students for Flint Hill Elementary in 2025 (921 students) and Flint Hill Middle in 2026 (618 students)<sup>1</sup>, an Off-site Consequence Analysis (OCA) was carried out to estimate worst-case scenario releases of known chemicals of concern (silane, anhydrous ammonia, hydrochloric acid (37%), and hydrofluoric acid (50%)), to be stored and utilized at the site.

**Methods:** Prior to carrying out the health risk assessment described in our original scope of work, we carried out an OCA using the EPA's web-based RMP\*Comp Tool.<sup>2</sup> Using the estimated catastrophic dispersion concentrations of a variety of chemicals with known disaster risks proposed to be stored and used at the Silfab site, we prepared the following results summarized in Table 1. We have provided updated results from Phase 1, with the inclusion of chemical quantities sourced from the Silfab RMP, Appendix D and the SC Department of Environmental Services (SC DES) air construction permit for Silfab's site.

Additionally, a risk dispersion map (Figure 1) showing the reach radii of the four chemicals of concern is provided to graphically represent the OCA results with overlapping nearby population and topography. The map incorporates radii using straight line distances without the influence of topographical endpoints.

Our team assessed the rural terrain type for the OCA analysis with the assumption that presently the area is more rural than urban and there are probable underestimates in the distance of dispersion risks when assessing while using the urban type within the RMP\*Comp Tool. It is important to note that SC DES also used the rural terrain option instead of urban in their air dispersion modeling, per their analysis of the

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<sup>1</sup> Which students will Fort Mill district send to the new schools beside solar panel site? Retrieved from: <https://www.heraldonline.com/news/local/education/article293316374.html> on December 5, 2024.

<sup>2</sup> RMP\*Comp | US EPA

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

area when matched with regulatory guidelines. Their rationale has been described elsewhere and can be found here.<sup>3</sup>

According to the manufacturer, the site is categorized under Program Level 3 of EPA's Risk Management Plan Rule, which necessitates Process Safety Management (PSM) requirements. Additionally, silane, anhydrous ammonia, and hydrochloric acid (37%) are considered "Regulated Substances" under the RMP Rule, however hydrofluoric acid (50%) is not. Worst-case scenario modeling was the priority specified by the CAGI group, which was requested for phase two of this analysis, as this was deemed the primary scenario of concern for the nearby population.

The Globally Harmonized System (GHS) is an international standard for labeling and classifying chemicals to ensure consistency for hazard communication.<sup>4</sup> Safety Data Sheets (SDS) are utilized to provide specifics for each chemical's hazard per GHS guidelines. The SDS references for the four chemicals of concern are footnoted.<sup>5,6,7,8</sup> GHS label snapshots for each are provided in the appendix.

The specifics of our OCA are as follows:

1. EPA's RMP\*Comp web-based tool was used to simulate each of the release scenarios for silane, anhydrous ammonia, hydrochloric acid (37%), and hydrofluoric acid (50%).
2. Model Assumptions:
  - a. Liquid temperature of 72 degrees F (22 degrees C) was applied.
  - b. Worst case scenarios were recorded for rural terrain type only.
  - c. RMP\*Comp uses wind speed of 1.5 meters/second (3.4 miles/hour), and air temperature of 77 degrees F (25 degrees C) for all estimates.
3. Results Interpretation:
  - a. Only "worst-case release" type and rate were recorded. Alternate release scenarios were not recorded as this was deemed outside of phase two's scope.
  - b. For solids and liquids, the recorded distance was the downwind distance to toxic endpoint under the RMP Rule. For gas, the recorded distance was the distance to the overpressure endpoint of 1 pound per square inch specified for this regulated substance under the RMP Rule.
4. Results Summary:

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<sup>3</sup> Response to Comments on Air Quality, Silfab Solar, retrieved from: [SCDES](#) on May 9, 2025

<sup>4</sup> Chemical Safety Software, Environmental Management Systems, retrieved from: [EMS](#) on May 6, 2025

<sup>5</sup> Anhydrous Ammonia [SDS](#)

<sup>6</sup> Hydrochloric acid (37%) [SDS](#)

<sup>7</sup> Hydrofluoric acid (50%) [SDS](#)

<sup>8</sup> Silane [SDS](#)

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

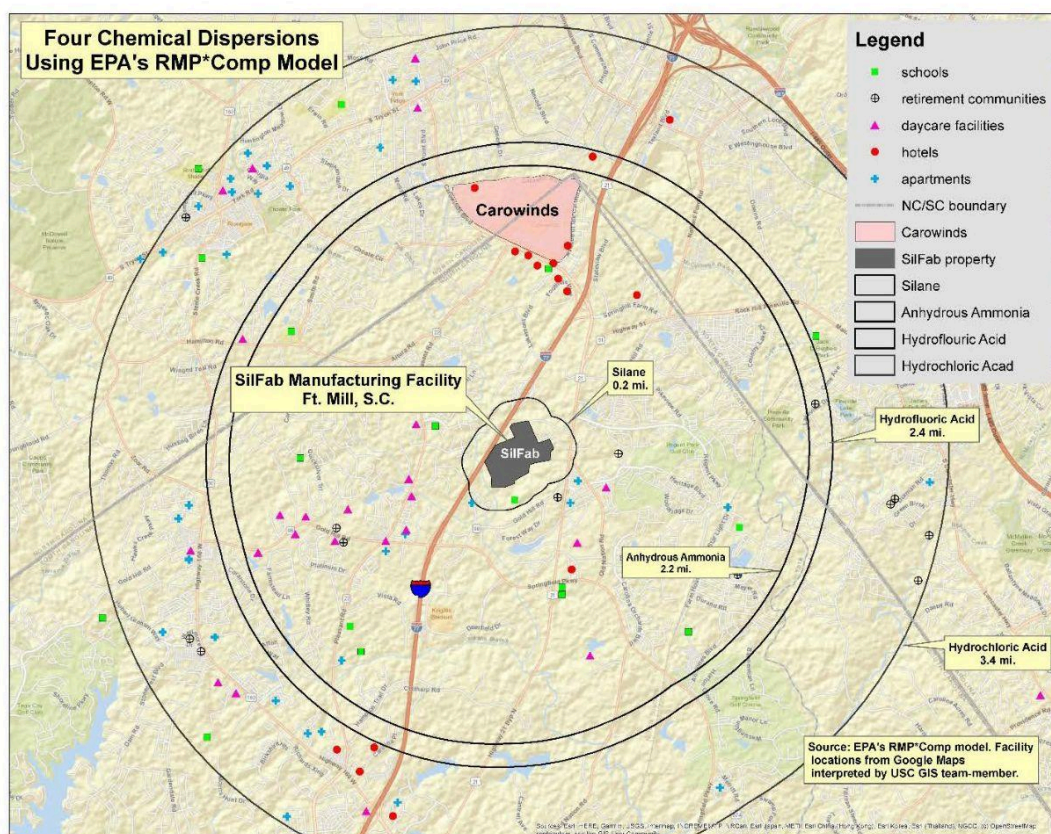
Chemical	Quantity <sup>9</sup>	Worst case scenario (Rural)
Anhydrous Ammonia	22,000 lbs	22,000 lbs, Released over 10 min Distance = <b>2.2 miles</b>
Hydrochloric acid (37%)	2 storage tanks, 5,280 gallons each  (multiplying with density, 5,280 gallons x 9.93 lbs/gal = 52,430.4 pounds)	52,430.4 lbs, Release rate of 262 lbs/min Distance = <b>3.4 miles</b>
Hydrofluoric acid (50%)	2 storage tanks, 7,925 gallons each  (multiplying with density, 7,925 gallons x 9.59 lbs/gal = 75,982.75 pounds)	75,982.75 lbs, release rate of 61.1 lbs/min Distance = <b>2.4 miles</b>
Silane	13,228 lbs	13,228 lbs, Vapor Cloud Explosion, Distance = <b>0.2 miles</b>

Table 1. RMP\*Comp Tool Results

<sup>9</sup> Chemical quantities sourced from [Silfab RMP Appendix D](#) and [SC DES AIR-construction permit](#)



## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report



**Figure 1. Risk Dispersion Radii for the Four Chemicals of Concern**

**Discussion and Summary:** Printouts from the RMP\*Comp analysis are included in the appendix.

Each of the four chemicals of concern were estimated at distances that had relevance for the nearby populations (see map above). Our findings for HCL were found to have the highest distance of dispersion. This is significant, as HCL is considered a regulated substance under the RMP rule.

The phase 2 RMP\*Comp Tool analysis generated very similar distance results to phase 1, with the exception of HF, which had an increased distance at 2.4 miles (versus 2.0 miles estimated in phase 1).

Of note regarding rural terrain, these numbers are likely to have greater distances compared to urban, as urban terrains provide more resistance compared to rural, leading to a more localized toxic endpoint. It is important to note that no terrain type for silane was available, and thus no differences to be estimated between rural versus urban.

In summary, we appreciate the opportunity to partner with CAGI and the community members of York County to identify, review and assess potential community health considerations that may impact the quality of life of South Carolinians. This work is supported by a grant from the Citizens Alliance for Government Integrity (CAGI).

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

Our team looks forward to scheduling a follow-up meeting to discuss the report, presented results, and discussion of next steps.

Sincerely,

*Dwayne E. Porter*

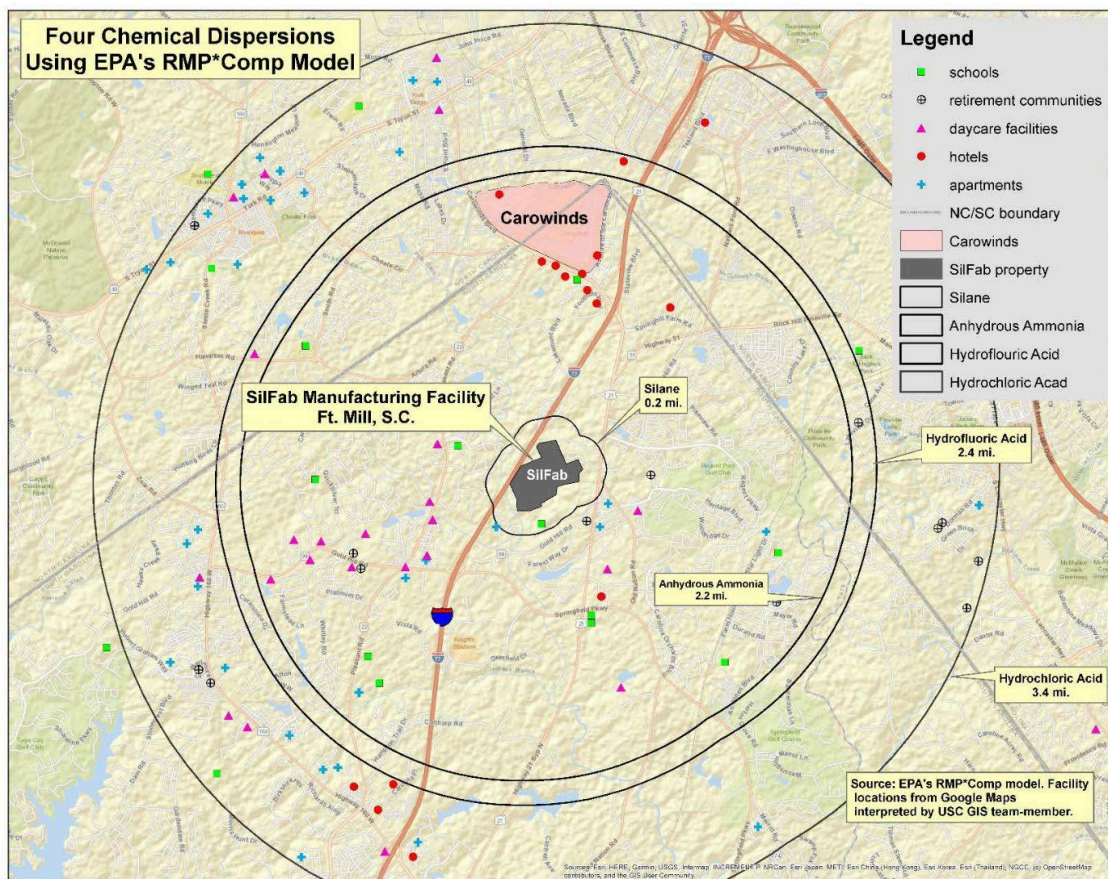
Dwayne E. Porter, PhD, and for the Team

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## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### Appendix A – Expanded View of Chemical Dispersion Map



## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### Appendix B – RMP\*Comp Tool Output

#### Estimated Distance Calculation

 **Estimated distance to toxic endpoint:** 2.2 miles (3.5 kilometers)

This is the downwind distance to the toxic endpoint specified for this regulated substance under the RMP Rule. Report all distances shorter than 0.1 mile as 0.1 mile, and all distances longer than 25 miles as 25 miles.

#### Scenario Summary

**Chemical:** Ammonia (anhydrous)

**CAS number:** 7664-41-7

**Threat type:** Toxic Gas

**Scenario type:** Worst-case

**Quantity released:** 22000 pounds

**Release duration:** 10 min

**Release rate:** 2200 pounds per minute

**Mitigation measures:** NONE

**Surrounding terrain type:** Rural surroundings (terrain generally flat and unobstructed)

**Toxic endpoint:** 0.14 mg/L; basis: ERPG-2

#### Assumptions about this scenario

**Wind speed:** 1.5 meters/second (3.4 miles/hour)

**Stability class:** F

**Air temperature:** 77 degrees F (25 degrees C)



## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### Estimated Distance Calculation

 **Estimated distance to toxic endpoint:** 3.4 miles (5.5 kilometers)

This is the downwind distance to the toxic endpoint specified for this regulated substance under the RMP Rule. Report all distances shorter than 0.1 mile as 0.1 mile, and all distances longer than 25 miles as 25 miles.

### Scenario Summary

**Chemical:** Hydrochloric acid  
**Initial concentration:** 37 %  
**CAS number:** 7647-01-0  
**Threat type:** Toxic Liquid  
**Scenario type:** Worst-case  
**Liquid temperature:** 72 F  
**Quantity released:** 52430.4 pounds  
  
**Mitigation measures:** NONE  
  
**Release rate to outside air:** 262 pounds per minute  
**Surrounding terrain type:** Rural surroundings (terrain generally flat and unobstructed)  
**Toxic endpoint:** 0.03 mg/L; basis: ERPG-2

#### Assumptions about this scenario

**Wind speed:** 1.5 meters/second (3.4 miles/hour)  
**Stability class:** F  
**Air temperature:** 77 degrees F (25 degrees C)

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### Estimated Distance Calculation

 **Estimated distance to toxic endpoint:** 2.4 miles (3.9 kilometers)

This is the downwind distance to the toxic endpoint specified for this regulated substance under the RMP Rule. Report all distances shorter than 0.1 mile as 0.1 mile, and all distances longer than 25 miles as 25 miles.

### Scenario Summary

**Chemical:** Hydrofluoric acid

**Initial concentration:** 50 %

**CAS number:** 7664-39-3

**Threat type:** Toxic Liquid

**Scenario type:** Worst-case

**Liquid temperature:** 72 F

**Quantity released:** 75982.75 pounds

**Mitigation measures:** NONE

**Release rate to outside air:** 61.1 pounds per minute

**Surrounding terrain type:** Rural surroundings (terrain generally flat and unobstructed)

**Toxic endpoint:** 0.016 mg/L; basis: ERPG-2

#### Assumptions about this scenario

**Wind speed:** 1.5 meters/second (3.4 miles/hour)

**Stability class:** F

**Air temperature:** 77 degrees F (25 degrees C)

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### Estimated Distance Calculation

 **Estimated distance to 1 psi overpressure:** 0.2 miles (0.3 kilometers)

This is the distance to the overpressure endpoint of 1 pound per square inch specified for this regulated substance under the RMP Rule.

### Scenario Summary

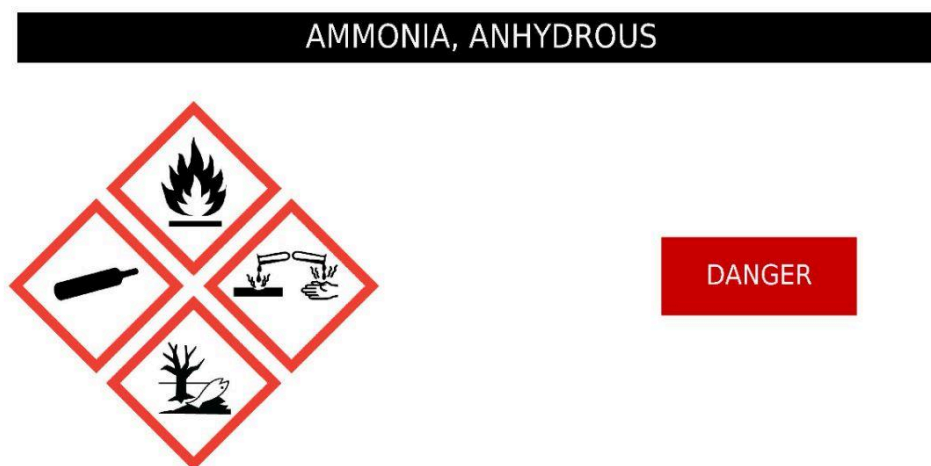
**Chemical:** Silane  
**CAS number:** 7803-62-5  
**Threat type:** Flammable Gas  
**Scenario type:** Worst-case  
**Quantity released:** 13228 pounds  
**Release type:** Vapor Cloud Explosion

#### Assumptions about this scenario

**Wind speed:** 1.5 meters/second (3.4 miles/hour)  
**Stability class:** F  
**Air temperature:** 77 degrees F (25 degrees C)

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### Appendix C – GHS Labels for 4 Chemicals of Concern



Causes damage to organs  
Causes severe skin burns and eye damage  
Contains gas under pressure; may explode if heated  
Extremely flammable gas  
May cause allergy or asthma symptoms or breathing difficulties if inhaled  
May cause damage to organs through prolonged or repeated exposure  
Suspected of causing genetic defects  
Toxic if inhaled  
Very toxic to aquatic life  
Very toxic to aquatic life with long lasting effects

Do not handle until all safety precautions have been read and understood  
Do not breathe  
dust/fume/gas/mist/vapours/spray  
Do not eat, drink or smoke when using this product  
Obtain special instructions before use  
Wear protective gloves/protective clothing/eye protection/face protection  
In case of inadequate ventilation wear respiratory protection  
Use personal protective equipment as required  
Keep away from heat, hot surfaces, sparks,  
open flames and other ignition sources. No  
smoking.  
Wash ... thoroughly after handling  
Use only outdoors or with adequate ventilation.  
Keep container tightly closed  
Avoid release to the environment

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### HYDROCHLORIC ACID 37%



Danger

Causes severe skin burns and eye damage  
May be corrosive to metals  
May cause respiratory irritation

Keep only in original packaging  
Do not breathe  
dust/fume/gas/mist/vapours/spray  
Wash ... thoroughly after handling  
Do not eat, drink or smoke when using this product  
Use only outdoors or with adequate ventilation.  
Wear protective gloves/protective clothing/eye protection/face protection  
IF SWALLOWED: Rinse mouth, Do NOT induce vomiting  
IF ON SKIN (or hair): Take off immediately all contaminated clothing, Rinse skin with  
water/shower  
IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing  
IF IN EYES: Rinse cautiously with water for several minutes, Remove contact lenses, if present  
and easy to do. Continue rinsing  
Immediately call a POISON CENTER/doctor/...  
Wash contaminated clothing before reuse  
Absorb spillage to prevent material damage.  
Store in a well-ventilated place., Keep container tightly closed  
Store locked up  
Store in a corrosive resistant/... container with a resistant inner liner  
Dispose of contents/container to ...

---

#### Genelinx International

The information contained herein is based on data compiled from the chemical components of the (M)SDS and may not accurately represent the safety hazards for the product. Only the manufacturer of the product can make actual representations about the hazard profile of a chemical product. No warranty is expressed or implied regarding the accuracy of these data or the results to be obtained from the use thereof.

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### HYDROFLUORIC ACID, 47% - 51%



Danger

Causes severe skin burns and eye damage  
Fatal if inhaled  
Fatal if swallowed  
Fatal in contact with skin

Do not breathe  
dust/fume/gas/mist/vapours/spray  
Do not get in eyes, on skin, or on clothing  
Wash ... thoroughly after handling  
Do not eat, drink or smoke when using this product  
Use only outdoors or with adequate ventilation.  
Wear protective gloves/protective clothing/eye protection/face protection  
In case of inadequate ventilation wear respiratory protection  
IF SWALLOWED: Immediately call a POISON CENTER/doctor/...  
IF SWALLOWED: Rinse mouth, Do NOT induce vomiting  
IF ON SKIN: Wash with plenty of water.  
IF ON SKIN (or hair): Take off immediately all contaminated clothing, Rinse skin with water/shower  
IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing  
IF IN EYES: Rinse cautiously with water for several minutes, Remove contact lenses, if present and easy to do. Continue rinsing  
Immediately call a POISON CENTER/doctor/...  
Specific treatment is urgent (see ... on this label)  
Specific treatment (see ... on this label)  
Specific measures (see ... on this label)  
Rinse mouth  
Take off immediately all contaminated clothing, And wash it before reuse  
Wash contaminated clothing before reuse

---

#### Air Liquide

The information contained herein is based on data compiled from the chemical components of the (M)SDS and may not accurately represent the safety hazards for the product. Only the manufacturer of the product can make actual representations about the hazard profile of a chemical product. No warranty is expressed or implied regarding the accuracy of these data or the results to be obtained from the use thereof.

## Exhibit 2.1 USC Health Risk Assessment Phase 2 Report

### SILANE



Danger

Catches fire spontaneously if exposed to air  
Contains gas under pressure; may explode if heated  
Extremely flammable gas  
Flammable gas  
Harmful if inhaled

Do not handle until all safety precautions have been read and understood  
Keep away from heat, hot surfaces, sparks,  
open flames and other ignition sources. No  
smoking.

Do not allow contact with air

Avoid breathing dust/fume/gas/mist/vapours/spray

Use only outdoors or with adequate ventilation.

Wear protective gloves/protective clothing/eye protection/face protection

IF ON SKIN:

IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing

IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses, if present  
and easy to do. Continue rinsing

IF exposed or concerned: Get medical advice/attention

Leaking gas fire: Do not extinguish, unless leak can be stopped safely.

In case of leakage, eliminate all ignition sources.

Store in a well-ventilated place.

Dispose of contents/container to ...

---

#### Air Liquide

The information contained herein is based on data compiled from the chemical components of the (M)SDS and may not accurately represent the safety hazards for the product. Only the manufacturer of the product can make actual representations about the hazard profile of a chemical product. No warranty is expressed or implied regarding the accuracy of these data or the results to be obtained from the use thereof.



## SECTION 3

### Industrial In Residential Areas Natalia Mitchell

If you are here tonight in support of Move Silfab, please remain standing.

At the May 6, 2025 Planning and Zoning Committee meeting, when discussing Maximum Building Heights, one Council Member stated that York County doesn't really have heavy industrial operations in residential areas.

But that's not accurate. Silfab *is* a heavy industrial facility planning to run large-scale manufacturing operations, and it's located in a light industrial zone, directly next to *two* schools and surrounding neighborhoods.

Another council member, who has shown support for our concerns, chose not to speak on this specific point in the same meeting, and I respect that. It underscores how sensitive and important this issue is.

Also, if we are worried about how tall a building looks, should we not be far more alarmed about bulk storage of very toxic and flammable chemicals just yards away from our children?

The truth is, Silfab does not belong in this location. It is not compatible with the surrounding community. I urge this council to acknowledge the reality on the ground and act in the best interest of Fort Mill families and children.

With no administrator approval present, please revoke Silfab's permits. Thank you.



## Exhibit 3.1 Transcript of YC Planning and Zoning Committee Agenda 5/6/25

York County Planning & Zoning Committee Agenda May 6, 2025

Council Members present

- Debi Cloninger - Chair
- Tommy Adkins
- Andy Litten

Notable York County Staff present

- Jonathan Buono (Planning & Development Services Director)
- Thomas Couch (Assistant County Manager)
- Michael Kendree (York County Attorney)



Source: Youtube [York County Planning & Zoning Committee Agenda May 6, 2025](#)

**Background:** Discussion being had on building height limits and how to properly set limits based on various options (by zoning code, by “overlay”, case by case, etc.)

At timestamp 44:48,

Adkins: Go to Lancaster and see how tall their...

Litten: But you don't have industrial in the residential areas.

Cloninger: Yeh you do.

Litten: I mean real industrial, not the light industrial

Adkins: When's the last time you been to Richburg?

Cloninger: I don't want to really talk about this. Okay, so um...

## SECTION 4

### Silfab FILOT

#### Brandon Dunford

Good evening Council,

I am here this evening to share my opposition to the Silfab development. I live in Fort Mill with my wife Laura and my 3 young daughters.

Like many parents of kids who were redistricted to Flint Hill schools, I had no idea Silfab planned to operate such a large scale chemical operation next to my kids school. We're all so busy managing work and raising kids, the early stages of this project seemed to slip right under the radar. I went back and did some research as to how we got here and stumbled on the Fee in Lieu of Tax meetings. At one meeting, a council member highlighted the danger related to the schools, and said 'As a council member, safety is first'. Immediately following those comments, another council member stated that we can't 'speculate on danger' and that 'we have a county staff that will do whatever their job is to assure the community that they are meeting what we require'.

We understand you were voting on a tax incentive, but we are here tonight voicing our concerns about the location and the improper zoning based on undeniable facts. One Million cubic feet of Toxic Gas, stored outside, is not compatible just feet away from school grounds.

Simply put, the county staff is FAILING the community by NOT doing their jobs following the BZA decision.

I'm not a hysterical parent, I'm a reasonable adult and this is insane. That is the most family-friendly term I can use to describe what is taking place. York County has a zoning code to protect us, why isn't the zoning administrator doing their job?

As a parent, especially as a father, I will do anything to protect my kids. I will step in between any potential danger and my children and that's why I'm here before you tonight. Please protect our community.

With no administrator approval present, please revoke Silfab's permits.

## Exhibit 4.1 YCC FILOT, Second Reading 8/21/23

### York County Council Meeting August 21, 2023

#### Consent Agenda

6. COUNCIL TO APPROVE SECOND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 90.02, "RATES, FEES, AND CHARGES FOR PUBLIC PARK FACILITIES, SERVICES, OR SPONSORSHIP'S" IN ORDER TO ESTABLISH A FEE SCHEDULE FOR THE BETHEL LAKE WYLIE LAND ACQUISITION AND PRESERVATION PARK DISTRICT; TO MODIFY THE EXISTING FEE SCHEDULE INCLUDING NEW FEES FOR FIELD DAY PARK; TO INCREASE THE RESERVATION FEE FOR CAMPING AND SHELTER RESERVATIONS AT EBENEZER PARK AND ALLISON CREEK PARK; TO ESTABLISH CROSS COUNTRY COURSE EVENT FEES FOR CATAWBA BEND PRESERVE; TO ESTABLISH FOOD TRUCK VENDOR FEES FOR ALL PARKS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

Previously, at timestamp 2:47:21, Councilman Tom Audette is quoted:

I need to draw back and make sure that whatever is approved in this community is safe for the people that live here. Not just short term, but long term. Okay, great benefits, excellent. Paid vacation is excellent. But if there's an underlying factor where there's any impact to the community from a health perspective, that washes it all out. It means nothing.



Source: Youtube [York County Council Meeting August 21 2023](#)

At timestamp 2:51:08, Councilman William (Bump) Roddey is quoted:

*And one of the things that I've tried to do over the last twelve and half, thirteen years, is not err so much on the emotional side, but the information side. Cause a lot of times we send emails, we emotional. A lot of times we make phone calls, we emotional. Sometimes we have a little bit of information, and we think that's all the information. Sometimes we have all the information and still feel that it's not enough. But what we do have, to use as council members, is what's in front of us right now. We can get up here and speculate of the dangers, of the success, of failures. If we knew that going forward, we probably wouldn't be interested in doing council jobs, we probably be on Wall Street. But we don't know and we can't speculate.*

...

*We can speculate about will DHEC regulate this to the point that it keeps us safe. Well it's DHEC's job. It's not York County Council's job to make sure that there are things in place for air quality, uh water quality, sustainability. That's not what we're here to decide. We're not the*

## Exhibit 4.1 YCC FILOT, Second Reading 8/21/23

experts. We don't do that. Our job, when we do a rezoning, is not to evaluate whether a business will sustain, whether it will do anything outside of what our agreement says they're gonna do. Make the investment, provide the jobs. We rely on DHEC, we rely on the EPA to do their jobs.

...

Our state does a good job and I work for a company that DHEC's been all over. The EPA's been all over, so we can't discount the fact that these agencies do a poor job. If they're doing a poor job, that's their job. They have to account for that.

...

We not considering a rezoning. Silfab can go in this location, right now, start up their operation, without York County giving them a thumbs up or thumbs down. But it goes through DHEC, the EPA, whether the city can provide the water, whether they can treat the water. We're not doing a rezoning. The question here today is do we want to consider a Fee in Lieu of Tax Agreement. Some people say, well you can't give away the farm, they're gonna come anyway. Well when a company comes to York County and petitions to be here or David Swenson goes out to recruit them, if they meet certain criteria, they get benefits from the state, they meet certain criteria, they get certain benefits from the county. We want to bring jobs.

...

And to look at what this company's gonna put on the bottom line for our schools. I remember a time, when people from Fort Mill was coming saying, we need money for schools. We need money for this. Well we got a company that's gonna put money on the bottom line for schools. A lot of boxes are being checked that the general public don't even consider that's going into when a company locates here. And I get it, we can all say we don't want something near our home. We've had issues in this community with a 2nd jail, land fills, things we know our community needs but nobody wants it near them.

...

But I think we do our best and rely on Management to give us the information we need, to make the decisions we make. And I assure you, we have a plethora of information over the last 5 months and beyond.

...

We get the facts presented to us and that's what we have to consider. Talk about the revenues for the schools. First 5 years, think they looking at approximately a million dollars a year for the first 5 years. Over 30 years, 16.9 million. Can't mention enough how important DHEC, the EPA, and other regulatory agencies will do their job when it comes to what this company is doing in this community. But it's not council's job to go out now and put in regulations that don't exist, just because the company wants to come here.

...

I think we have a county staff that's gonna do whatever their job is to assure the community that they're meeting what we require.

...

I remember when this first came up and some of you may have been part of the question group, Where's the MSDS? Like, wait a minute, the company's not even here yet and you want to see the chemicals they're using. Sometimes, there's a process and knowing that we've put them a

## Exhibit 4.1 YCC FILOT, Second Reading 8/21/23

*strenuous, tedious outline to get to where they're at. They've been transparent with us. They've been open to the public.*

*...*

*They can't grow if they're having environmental issues. They can't grow if they have employee health issues. That would be obviously, if that was the case in their other facilities, that would be front and center right now.*

*...*

*And I hope this company is able to come in, grow, hit that 800 and hopefully put more than 800 people in that facility, cause that means we are putting people to work. We're growing the tax base, and don't not even mention the tax base is gonna provide for York County. The schools are good. York County tax base is growing. Putting people back to work. That's a lot of boxes we can check with one company. You know, 150 million dollars, that's not a fly by night company. I think they've proven they know what they're doing.*

*...*

*I think I've beat it to death. I'm supporting it. 800 jobs. That's a lot of jobs.*

## Exhibit 4.2 YCC FILOT, Third Reading 9/18/23

### York County Council Meeting September 18, 2023

#### Old Business

1. COUNCIL TO CONSIDER THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA (THE "COUNTY"), SILFAB SOLAR CELLS SC INC., AND SILFAB SOLAR PV SC INC., COMPANIES PREVIOUSLY AND COLLECTIVELY IDENTIFIED AS "PROJECT MOUNTIE", WITH RESPECT TO CERTAIN PROPERTY, INCLUDING, WITHOUT LIMITATION, ECONOMIC DEVELOPMENT PROPERTY, IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF AD VALOREM TAXES; AND OTHER MATTERS RELATED THERETO.



Source: Youtube [York County Council Meeting September 18, 2023](#)

At timestamp 1:47:23, **Councilman William "Bump" Roddey** is quoted:

*It's not our job to dig into invoices of who their supplier is. It's not our job to look into the business model. But they've shared some of that stuff with us, so we do get a chance to see that. But we don't require any company coming here to say who's your supplier, where you getting your materials from.*

*It's our job, we're just considering a Fee In Lieu of Tax.*

*That's what this board is charged with. If it was anything above that and beyond that, I probably wouldn't be qualified to do it. That's why we have DHEC in place to look at water quality, air quality. You got the EPA that does whatever they're gonna do. I'm not qualified for that, but I'm certainly qualified to know 800 jobs and the impact that it can have on this community*

...

*I think this comes with a lot of positives and people who live close to anywhere should have a concern. You should have a concern. Not saying that we don't have that concern*

...

*But don't expect this board to hold up a Fee in Lieu based on what DHEC is yet to determine.*

## SECTION 5

### Schools

#### Jamie Costea

Please stand if you are in support of Move Silfab.

Good evening county council. My husband Nate and I moved to Fort Mill over 13 years ago from California because with the cost of living there, we could not afford to start a family. Since moving to Fort Mill God has blessed us with 3 beautiful children and we are so grateful to be their parents.

Recently a friend sent me a link to a YouTube video from September 18, 2023, where this council voted on the Fee In Lieu of Tax for Silfab. One of the council members took the time to do research to be comfortable with the decision, part of that research included talking to the school district.

While I don't know what was discussed, I do know that my husband and I, and the vast majority of the parents whose children are now redistricted to the schools next door didn't know a thing about Silfab until May of 2024. The voices of parents were never heard.

We understand that parent's voices aren't as important when it comes to tax incentives. But our voices should be heard when it comes to the safety of our children, especially when it comes to what we now know is truly heavy industrial chemical manufacturing taking place next to the schools where our kids will learn and play. 1 million cubic feet of toxic gases stored outside right next to our children's schools is horrific.

Parents all over Fort Mill are praying for a miracle to end this nightmare. We should not be forced to worry every day if we'll get a call about an accident at Silfab. We send our children to school with the expectation they will be safe.

Please keep our children safe. With no administrator approval present, please revoke Silfab's permits.

## Exhibit 5.1 YCC FILOT 2nd Reading 8/21/23

York County Council Meeting August 21, 2023

### Consent Agenda

6. COUNCIL TO APPROVE SECOND READING OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 90.02, "RATES, FEES, AND CHARGES FOR PUBLIC PARK FACILITIES, SERVICES, OR SPONSORSHIP'S" IN ORDER TO ESTABLISH A FEE SCHEDULE FOR THE BETHEL LAKE WYLIE LAND ACQUISITION AND PRESERVATION PARK DISTRICT; TO MODIFY THE EXISTING FEE SCHEDULE INCLUDING NEW FEES FOR FIELD DAY PARK; TO INCREASE THE RESERVATION FEE FOR CAMPING AND SHELTER RESERVATIONS AT EBENEZER PARK AND ALLISON CREEK PARK; TO ESTABLISH CROSS COUNTRY COURSE EVENT FEES FOR CATAWBA BEND PRESERVE; TO ESTABLISH FOOD TRUCK VENDOR FEES FOR ALL PARKS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.



Source: Youtube [York County Council Meeting August 21 2023](#)

At timestamp 3:08:20, **Councilman Watts Huckabee** is quoted:

*Water, we have been given no reason to believe that the quality of the water that is leaving this building, we've been told, it's cleaner than the water that came in. We can, that's what we're being told. That's why we have a permit, they have a permit issued by the county. Air, we're told there's not an issue with the air quality.*

*Schools. I've had. My wife and I have had 4 children that have gone through public schools. I've got two grandchildren. Schools. Schools aren't calling us, saying we don't want this project. I don't think not a person on council's gotten a call from the schools, saying they don't want this project. Neither has our management. Neither has Silfab. Neither has Silfab's consultant. Schools are gonna get half of 3.5 million dollars a year. Maybe it's the money over the safety of children. I'm not sure. But, I'm thinking they're not really concerned about this project. Not for the safety of the students.*



## Exhibit 5.2 YCC FILOT 3rd Reading 9/18/23

York County Council Meeting September 18, 2023

Old Business

1. COUNCIL TO CONSIDER THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AND INCENTIVE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA (THE "COUNTY"), SILFAB SOLAR CELLS SC INC., AND SILFAB SOLAR PV SC INC., COMPANIES PREVIOUSLY AND COLLECTIVELY IDENTIFIED AS "PROJECT MOUNTIE", WITH RESPECT TO CERTAIN PROPERTY, INCLUDING, WITHOUT LIMITATION, ECONOMIC DEVELOPMENT PROPERTY, IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF AD VALOREM TAXES; AND OTHER MATTERS RELATED THERETO.



Source: Youtube [York County Council Meeting September 18, 2023](#)

At timestamp 1:41:36, **Councilman Watts Huckabee** is quoted:

*So I took the due diligence to, um, I gotta be careful how i say this. Let me say it this way, I made a comment at the last meeting about the school's position on this. and I'll just say I've confirmed I know what the school's position is on this.*

## Exhibit 5.3 Storage Quantities Reported v. Maximum Allowable Quantities

Table 5. WWT and Chemical Building Storage Quantities Reported v. MAQ

WWT/Chemical Building MAQ*		
Classification	Max Allowed Storage	Reported Storage Quantity
Class IIIB Comb. Liquid	No Limit	275 gal
<b>Corrosive Liquids</b>	<b>1,950 gal</b>	<b>47,603 gal</b>
<b>Toxic Liquids</b>	<b>200 gal</b>	<b>28,530 gal</b>
Class 1 Oxidizer	No Limit	7,925 gal
<b>Class 2 Oxidizer</b>	<b>450 gal</b>	<b>7,978 gal</b>
Class 2 Water Reactive	230 gal	59.4 gal

The quantities of corrosive and toxic liquids (“health hazard”) exceeds the MAQ for a control area; therefore, thus per SCBC 307.6 the WWT/Chemical Building will be considered as a High-Hazard Group H-4 occupancy. In addition, Class 2 Oxidizers are over the MAQ, and therefore High Hazard Group H-3 requirements apply. The requirements of the H-3/H-4 occupancy will be discussed in a later section of this report.

## Exhibit 5.4 Chemical Storage Tanks



## SECTION 6

### Permits

Jennifer Williams

Going about life in Fort Mill, I talk to friends and neighbors and in practically every conversation the topic of Silfab comes up. And it's the same question... "How has Silfab been allowed to get this far?" We have yet to come up with a satisfactory answer.

As a brief reminder, Silfab Solar plans to **manufacture**—not just assemble—solar cells, which is a heavy industrial chemical manufacturing process, using **and storing** bulk quantities of hazardous, regulated, chemicals and gases. They will use 1 million gallons of water a day, treat it onsite in a separate building, and then pump it back to Rock Hill.

All of this in a light industrial zone, and sharing a property border with our most precious and vulnerable residents at Flint Hill Elementary and Middle Schools, with no evacuation or containment plan other than to shelter in place.

After the unanimous BZA decision on May 9th, 2024, York County residents rightly asked this council why Silfab was allowed to continue its operations. In an attempt to address those concerns, this Council was quick to issue a statement to address any misunderstandings on May 31, 2024: I quote: "York County has no jurisdiction over the issuance of environmental permits." Another quote from the same statement: "No permit was issued by York County after the BZA hearing was held on May 9, 2024."

Councilmembers, you may not be aware, but in the year since that decision, York County staff has issued 9 permits and 30 approvals of site plans, building plans, change orders, and more, listed as Project 20240468.

York County Ordinance 155.1239 allows the Zoning Administrator to revoke permits or approvals issued in error, or when York County Ordinances are being violated. Fort Mill and York County citizens implore you to protect us, and ensure our safety.

With no administrator approval present, please revoke Silfab's permits.





**YORK COUNTY COUNCIL**

*Christi P. Cox, Chairwoman  
District 5*

May 31, 2024

Over the past few weeks, County Council has received emails from residents concerning the status of Silfab operations after the Board of Zoning Appeals' hearing on May 9, 2024. Council is aware of this development and has asked for a copy of the written decision issued by the BZA on May 30, 2024. A 30-day automatic appeal period extends through June 29, 2024.

Council has asked county management to conduct a comprehensive review of this matter and provide information to Council. Josh Edwards started as our new County Manager on April 8, 2024 and is diligently working with staff to gather information and research pertinent legal issues.

It is very important that the public have ACCURATE information. There are many rumors, accusations and speculation being circulated. To address and clarify a few recurring items:

- Council had no role in approving or issuing the zoning verification in this matter and no rezoning is pending before council. The property was zoned Light Industrial in 1992, and any zoning verifications were issued by county staff prior to 2023 without council involvement.
- Council did NOT grant "zero property taxes." In 2023, council approved York County Economic Development and County Management's recommendation for a fee in lieu tax agreement, which all businesses meeting certain investment thresholds qualify per state statute. Silfab must meet all criteria to be eligible for the fee, and even with the fee in place must pay the same property tax rate (4%) as all residents (in this case on a \$150M investment). No additional credits were approved, clawbacks were included, minimum hourly wage rates were increased, and further conditions were placed on the proposed industry.
- York County has no jurisdiction over the issuance of environmental permits. Those standards rest exclusively with state and federal agencies and any permits issued have to comply with their standards. Any appeals must be made to the issuing agency, not the county.
- No permit was issued by York County after the BZA hearing was held on May 9, 2024.

While management is conducting its review, please direct all questions and comments to [silfabinfo@yorkcountygov.com](mailto:silfabinfo@yorkcountygov.com). Management will monitor this account and consider the information collected in its review. Any official county updates will be made publicly through the County website at [Information on Silfab Solar | York, SC \(yorkcountygov.com\)](https://www.yorkcountygov.com).

6 South Congress Street, Post Office Box 66, York, South Carolina 29745-0066  
Telephone: (803) 628-3954 Fax: (803) 684-8550 Web: [www.yorkcountygov.com](http://www.yorkcountygov.com)

## Exhibit 6.2 Silfab Permits and Approvals–Project 20240468

Search Results for Project "20240468"

- 7149 Logistics Lane, Fort Mill, SC 29715
- Silfab Solar
- The scope of work includes an upfit to the existing building to include a clean room for the manufacturing of solar panels. There are also (3) Ancillary buildings being constructed on the north side to support the manufacturing process. Bulk gas storage is also planned on the north side of the existing building. The scope of work includes modifications and additions to the Mechanical, Electrical, Structural and Fire Protection systems to support the installation of the Module Line equipment. This upfit also includes the addition of two rooms along the Module line equipment

The 30 Approvals associated with project 20240468 have a mix of Zoning Status of either (1) Approved, (2) Conditional or (3) Not Listed

Source: <https://evolvepublic.yorkcountygov.com> As of 5/15/2025 4:42 PM

#	Permit Number	Report Code	Description	Contract Price	Issued
1	202402069	1802 - NPDES Land Disturbance Permit	Silfab Parking & Utility Modifications		5/14/2024
2	202403599	1300 - Sign	Monument Sign for Silfab Solar- Project 20240468	\$1,786	8/13/2024
3	202403600	1300 - Sign	Wall Sign for Silfab Solar- Project 20240468- Permit 2 of 2	\$5,140	8/13/2024
4	202403643	800 - Electrical	Electrical for trailer- Silfab Solar 7149 Logistics Ln	\$19,714	8/14/2024
5	202403901	437 - Non-Residential & Non-Housekeeping	Silfab Solar Bldg A - Main Warehouse- <u>Partial Upfit in existing shell</u> 816,600sf- Project- 20240468 - Silfab Solar// Changes to UPFIT- Elec Dwgs removed// Deferred Panelized Construction	\$58,600,000	8/29/2024
6	202403902	320 - Industrial	Silfab Solar Bldg B- <u>WWT and Chemical Building- New Construction- Project - 20240468 - Silfab Solar// Amended for Building B-deferred submittal for PEMB only</u>	\$788,912	8/29/2024
7	202403903	320 - Industrial	Silfab Solar Bldg C- Central Energy Plant and UPQ- New Construction Project- 20240468 - Silfab Solar	\$1,170,286	8/29/2024
8	202405595	800 - Electrical	Install electric wire to 400 amp breaker panel to small office trailer - Project 20240468 - Silfab Solar - original address 7149 Logistics Ln	\$300	12/11/2024
9	202501790	437 - Non-Residential & Non-Housekeeping	Module Line 8 Equipment: Mechanical, Electrical, Structural, Fire Protection Systems- Metal Stud Curing Room 20240468	\$2,374,587	4/21/2025

### Exhibit 6.3 Permitted Expansion for Chemical Storage Tanks





## Exhibit 6.4 Large Chemical Storage Tanks





# Move Silfab Petition

I am opposed to heavy industrial manufacturing in a light industrial area. \* Indicates required question

First Name\* Your answer

Last Name\* Your answer

Street Address\* Your answer

Town\* Your answer

State\*

SC

NC

Zip\* Your answer

Development or Neighborhood Your answer

Phone Your answer

Email Address Your answer

Please send me email updates

Yes

No

Comments Your answer

Submit

Clear form

## Exhibit 6.5 Move Silfab Petition Form

### Petition Notes

- Petitioners are counted based on their agreement with the statement:  
**“I am opposed to heavy industrial manufacturing in a light industrial area.”**
- Petition made available online on social media platforms and MoveSilfab website.
- Form entries must contain a Name, Address and Zip to be accepted.
- Petition results screened regularly for duplicates and spam/hate speech.
- Petition results on the next artifact are representative of York County and surrounding areas as of February 20, 2025. More present-day petition totals can be provided upon request.
- For readability, Neighborhood and City results with immaterial counts were hidden and therefore the subtotals will not “foot”. However, all results are fully accounted for in the subtotal rows and columns and overall grand total of 5,716.

## Exhibit 6.6 Move Silfab Petition Form Results

COUNTA of Street Address	Town																			
	Catawba	Charlotte	Chester	Clemmons	Clover	Fort Mill	Huntersville	Indian Land	Indian trail	Lake Wylie	Lancaster	Monroe	Pineville	Rock Hill	Steele Creek	Steelecreek	Summerville	Tega Cay	York	
Development																				Grand Total
Almond Glen						10		36												46
Anniston Chase						21														21
Ashford on the Water						27														27
Ayrshire						23														23
Baden Village						16														16
Bailiwyck						194														194
Baxter Village						270														270
Beacon Knoll						70														70
Beacon Knoll Villas						52														52
Beckett Farms						22														22
Brayden						41														41
Bretagne						16		4												20
Cameron Creek						7												19		26
Carolina Orchards						264														264
Catawba Village						49														49
Charlotte		22																		23
Elizabeth		3				23														26
English Trails						127														127
Eppington South						48														48
Fair Oaks						70														70
Fallbrook						36														36
Fort Mill						62					1									63
Four Seasons at Gold Hill						51														51
Habersham						73														73
Hawks Creek						66														66
Knightsbridge						356														356
Lake Ridge						15												46		61
Lakeshore						10												25		35
Masons Bend						172														172
Massey						114														114
McCullough		1				191							92							284
Melbourne at Bailiwyck						59														59
Palisades		16																		16
Palmetto Traces						28														28
Pleasant Glen						35														35
Quail Ridge						90														90
Regal Manor						43														43
Regent Park						381														381
Sandy Pointe						20														20
Springfield						463														463
Springview Meadows						25														25
Sutton Place						39														39
Tega Cay						19												76		95
The Preserve at Riverchase						20														20
The Reserve at Gold Hill						197														197
Trinity Ridge						38														38
Waterside at the Catawba						69														69
Waterstone						75														75
Whitley Mills						65														65
Willow Bend						23														23
Grand Total	2	178	2	1	21	4812	2	94	1	18	15	2	107	115	2	1	1	270	13	5716

## SECTION 7

### Unchecked Box On \$2MM Grant Application and Chemical Storage

David Ortiz

Good Evening Council,

As a SC tax payer, I have concerns regarding how the state's tax revenue is being spent with a \$2 million grant provided to Silfab. On the Development grant application there was a question:

- Will this project require a new building or a physical addition to an existing building?
- That box is checked 'No'

However since then, 3 new buildings have been built in the form of chemical storage and a wastewater treatment plant, and building expansions have been done in the form of chemical 'bunkers', none of which are allowable in light industrial. Some chemicals are so dangerous, they require their own separate building. ALL THIS BEING PERMITTED, AND SUBSIDIZED by tax dollars contrary to the grant application.

As a taxpayer, I am trying to understand how the fruits of my labor are given to an entity that misrepresents what they intend to do to get a grant, blatantly violates zoning codes, and continues to receive new permits, despite a unanimous vote of the BZA categorizing their operations as heavy industry and prohibited.

I'd like to be shown that the county government is working in the taxpayer's best interest, by acting within their authority and revoking permits granted based on deception and misinformation, And requesting a full audit of the Silfab Fee In Lieu of Tax agreement.

Allowing construction to continue under these circumstances would:

- Undermine the integrity of the BZA process;
- Reward bad-faith behavior by allowing misrepresentation to go unchecked;
- Prejudice the outcome of Silfab's appeal by allowing irreversible development;
- and erode public trust in York County

Please revoke these permits and perform a full audit of the Fee In Lieu of Tax and Grant application.

## Exhibit 7.1 Addition Checkbox on Grant Application (SC)

9.2.c

### CAPITAL INVESTMENT

Land Cost	\$ _____
Building Improvements	\$7,000,000
Building Acquisition	\$ _____
Machinery & Equipment	\$118,000,000
<b>Total</b>	<b>\$125,000,000</b>

Will this project require a new building or a physical addition to an existing building?

Yes ☐ No ☒

☐ New building \_\_\_\_\_ sq. ft

☐ sq. ft. addition \_\_\_\_\_

What is the project type?

☒ New Project

☐ Expansion Project

### PROPERTY TAXES

Estimated local property taxes for the first year of location or expansion:

Total property taxes:	\$ 1,444,324
County portion:	\$ 446,535
School portion:	\$ 983,345

### INCENTIVES

Which of the following incentive and assistance programs will be involved in this project? (Please check all that apply)

<input checked="" type="checkbox"/> Fee-in-lieu	4% Term: 30 years
<input checked="" type="checkbox"/> Jobs Tax Credits	(Is the Site a multi-county park?) <input checked="" type="checkbox"/> yes <input type="checkbox"/> no
<input checked="" type="checkbox"/> Job Development Credits	
<input checked="" type="checkbox"/> Job Training (readySC™)	
<input type="checkbox"/> Job Re-training Credits	
<input type="checkbox"/> Industrial Revenue Bond	
<input type="checkbox"/> Special Source Revenue Bond/Credit	Terms: _____
<input type="checkbox"/> Community Development Block Grant	Amount: _____
<input type="checkbox"/> Utility Company Grant/Loan	Amount: TBD
<input type="checkbox"/> Rural Infrastructure Authority Grant	Amount: _____
<input type="checkbox"/> Other _____	

Attachment: CCED Application - C-22-3718 - Project Mountie - York County (7501 : Project Mountie - Grant)

November 2018

Coordinating Council for Economic Development

Packet Pg. 210

## Exhibit 7.2 Addition Checkbox on Economic Development Grant Application (SC)

### SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT Economic Development Grant Application

Name and address of local Government applicant:

York County

PO Box 66

York, SC 29745

This application was completed by:

Name Amanda Shailendra

Title Consultant, Pendleton Group (for Silfab Inc.)

Telephone 404-441-4046

Fax \_\_\_\_\_

Email ashailendra@pendletonatlanta.com

Note: When specific data is not available, estimates or approximations may be used is appropriately annotated as "Est." or "Approx."

Funds are being requested to assist with:

Site preparation and building improvements.

#### COMPANY INFORMATION

Name of Company: Silfab Inc. (or affiliate)

South Carolina Address: 7149 Logistics Lane  
Fort Mill, South Carolina

Type of Business: ☐ Sole Proprietor ☒ Corporation  
☐ Partnership/LLC ☐ S Corporation  
☐ Other (Explain) \_\_\_\_\_

If business is a corporation, please list the state of incorporation: \_\_\_\_\_

Federal Employer ID Number                      SC Employee Withholding Number TBD

Primary Business Type Manufacturing, Solar Industry SIC Code: 3674  
(manufacturing, service-related, etc.)

Company Contact: Treff MacDonald

Title: Chief Operating Officer

Address: 240 Courtneypark Drive East

L5T 2S5 Mississauga

ON, CA

Telephone: 905 255 2501                     

Email:                     

#### CCED USE ONLY

File Number C-22-3718

County York

Project Manager Teresa Powers

Project Name Mountie

Funding Source:

- ☐ Set-Aside Fund (SA)  
☐ Rural Infrastructure Fund (RIF)  
☐ Closing Fund (CL)

Dates: Received \_\_\_\_\_

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_



## Exhibit 7.2 Addition Checkbox on Economic Development Grant Application (SC)

### COMPANY PROJECT INFORMATION

#### COMPANY INFORMATION

Attach the following information related to the company and its proposed project:

1. Historical information on the company.
2. Description of the company's products or services.
3. Financial statements (annual report, 10K or audited financial statements to include P&L statement and balance sheet) **Please be aware that we will be unable to process any application until financial statements are provided. If the Company is a "start-up" operation, we require letters of commitment for financing from the Company's financial institution.**
4. Description of proposed facility to include: building type (new or existing), square footage, proposed renovations, etc.
5. Letter from the company confirming that the application has been reviewed by the company and that the information presented is accurate

**ALL OF THE ABOVE INFORMATION IS REQUIRED FOR THE APPLICATION TO BE PROCESSED.**

#### PROJECT TIMEFRAME

Start Date for Project: April 1, 2023  
(Date job creation and/or investment begins)

Completion Date: April 1, 2027  
(Date investment and job creation are anticipated to be complete)

#### JOB CREATION

Total Number of New Jobs: 800 new jobs

Categories and wage rates for new jobs:

Category	Number of Jobs	Average Wage (annual or hourly)
Executive/Management		
Technical/Professional		
Administrative/Clerical		
Skilled Production		
Unskilled Production		
Contract Employees		
Other		
Total	<u>800</u>	

**\*NOTE:** Stated annual wages are low end of hourly wage range for each category.

If the project involves the retention of existing jobs at the site, what will be the total number of jobs retained at the project site?

N/A

Annual payroll resulting from new jobs:

[REDACTED]

Annual payroll resulting from retained jobs?

N/A

If this project is an expansion of an existing company in SC, please state the number of current jobs in the state.

N/A

## Exhibit 7.2 Addition Checkbox on Economic Development Grant Application (SC)

### CAPITAL INVESTMENT

Land Cost

Building Improvements

Building Acquisition

Machinery & Equipment

Total

\$125,000,000

Will this project require a new building or a physical addition to an existing building?

Yes ☐ No ☒

☐ New building \_\_\_\_\_ sq. ft.

☐ sq. ft. addition \_\_\_\_\_

What is the project type?

☒ New Project

☐ Expansion Project

### PROPERTY TAXES

Estimated local property taxes for the first year of location or expansion:

Total property taxes: \$ 1,444,324

County portion: \$ 446,535

School portion: \$ 983,345

### INCENTIVES

Which of the following incentive and assistance programs will be involved in this project? (Please check all that apply)

☒ Fee-in-lieu 4% Term: 30 years

☒ Jobs Tax Credits (Is the Site a multi-county park?) ☒ yes ☐ no

☒ Job Development Credits

☒ Job Training (readySC™)

Job Re-training Credits

Industrial Revenue Bond

Special Source Revenue Bond Credit

Terms: \_\_\_\_\_

Community Development Block Grant

Amount: \_\_\_\_\_

Utility Company Grant/Loan

Amount: TBD

Rural Infrastructure Authority Grant

Amount: \_\_\_\_\_

Other \_\_\_\_\_

## Exhibit 7.2 Addition Checkbox on Economic Development Grant Application (SC)

### GRANT PROJECT INFORMATION

#### PROJECT INFORMATION

Attach the following:

1. A description of the activities to be undertaken with funds from this grant (give specific or estimated quantities and dimensions where possible).
2. A preliminary budget, showing cost estimates (identify source) and sources of funding for all elements of the project.
3. Two maps of the project area showing at least the following information: company location, existing infrastructure, the location of all improvements to be made (improvements to be made with CCED funding must be highlighted or color coded). Include any other relevant information which is available, such as a copy of any other grant applications, preliminary engineering reports, etc.

**ALL OF THE ABOVE INFORMATION IS REQUIRED FOR THE APPLICATION TO BE PROCESSED.**

#### PROJECT FUNDING

Total Funds Requested: \$2,000,000

Total Project Cost: \$125,000,000

Source of Project Funding	Amount	% of Total Project Cost
Company:	\$123,000,000	98.5%
Local Government:		
State:		
CCED ED Funds	\$2,000,000	1.5%
Federal:		
Other (private, utility, etc.)		
Total Project Cost	\$125,000,000	100%

**\*\*Important note: if this application is approved and a grant award is made, the grant award agreement requires that the project begin within 3 months and be completed within 18 months of the issuance of the grant agreement.**

## Exhibit 7.2 Addition Checkbox on Economic Development Grant Application (SC)

### TRAFFIC INFORMATION

If the activities to be undertaken with CCED funds will include road, provide the following information (estimates are acceptable):

Number of passenger vehicles which will be entering and exiting facility daily: N/A

Number of trucks which will be entering and exiting facility daily: N/A

### APPLICANT ASSURANCES

The information provided in this application is correct to the best of the applicant's knowledge. ***The applicant understands, and the company has been notified as appropriate, that there will be no reimbursement of costs incurred before grant award unless prior written approval is given by the Coordinating Council for Economic Development.***

This application submitted by: DAVID HYDERETH COUNTY MANAGER  
(Name & Title of Chief Administrative Official of Local Government)

  
(SIGNATURE)

2/27/23  
(DATE)

## Exhibit 7.3 Group H-4 Occupancy

Table 5. WWT and Chemical Building Storage Quantities Reported v. MAQ

The quantities of corrosive and toxic liquids (“health hazard”) exceeds the MAQ for a control area; therefore, thus per SCBC 307.6 the WWT/Chemical Building will be considered as a High-Hazard Group H-4 occupancy. In addition, Class 2 Oxidizers are over the MAQ, and therefore High Hazard Group H-3 requirements apply. The requirements of the H-3/H-4 occupancy will be discussed in a later section of this report.

Source (via FOIA request): SILFAB SOLAR HAZARDOUS MATERIALS ANALYSIS & FIRE PROTECTION REQUIREMENTS Hazardous Materials Inventory Statement (HMIS), Rev2, Page 20  
Prepared for Silfab Solar, March 7, 2025

## SECTION 8

### **Gaston County FOIA Need To Expedite Ashley Horne**

Good evening County Council,

As you know, Silfab originally considered building their facility in Gaston County NC. We recently received FOIA documents from Gaston County regarding this topic.

In these documents, Silfab listed South Carolina and Tennessee as locations outside of North Carolina that were being considered and when asked to explain the competitive nature of their project, Silfab quoted: "Speed to market is important and communities with fast-track permitting processes and low regulatory requirements will be prioritized.

We see Silfab's 'fast track/low regulatory' attitude play out when Silfab's consultant called a request to submit site plans "too 'onerous'. York County Staff, THANKFULLY, pushed back on this, confirming this is 'a change of use' and Silfab would have to provide their plans to receive permits.

Those plans, that Silfab provided, are what's keeping residents and parents of kids zoned to Flint Hill Elementary and Middle schools up at night. We're all looking at the same thing. Why is nothing being done?

If Silfab is willing to cut corners to obtain permits, what is stopping them from cutting corners once they begin operations and are self regulating the use of 500,000+ lbs of toxic chemicals?

With no administrator approval present, please revoke Silfab's permits.



## Exhibit 8.1 Gaston County Project Summary Form (FOIA)

### 2021 PROJECT SUMMARY FORM

**Silfab Solar Inc.**

**Project Borealis**

**Ellen Tai**

**October 14, 2021**

Project Name

EDPNC project manager assigned to the project

Date

#### COMPANY INFORMATION

Has the identity of the project company been disclosed to the EDPNC project manager assigned to the project? Yes, it was previously disclosed

Full Company Name Silfab Solar Inc.

Fully Private

Type of Corporate Ownership

Has the company been in existence and operating for three or more years? Yes

Does the company have existing operations/facilities in NC? No

If yes, provide the following information each existing NC operation/facility:

City and County	Type of Operation	Primary Product or Service	Current Number of Temporary and/or Contract Employees	Current Number of Direct Full-Time Employees

Provide an explanation of the Temporary and/or Contract Employees:

Has there been a layoff or reduction in workforce at any of the company's NC facilities in the last 12 months? No

If applicable, provide details pertaining to the layoff/ workforce reduction, including the location and employment levels prior to the reduction.

Not applicable

Within the past two years, or prior to that if the issue remains unresolved, has any facility operated by the company in North Carolina or elsewhere, received any notice of violations, or any other administrative notice or warning for noncompliance with any local, state or federal environmental or OSHA laws or regulations.

No

If Yes, provide details including date of occurrence, State, explanation of violation, amount, etc.

Not applicable

#### PROJECT INFORMATION

Provide a brief description of the company and a summary of the project in the box below:

The CAI Global Group (CAI) is working on behalf of a solar panel manufacturer based in Canada, to provide location decision support. The Company is looking to identify an ideal site to accommodate its new manufacturing plant in the US. As a leader in the design and development of ultra-high-efficiency, premium quality photovoltaic (PV) modules, the company wishes to grow organically to meet increased demand for its product.

CAI's client is planning to invest in a new manufacturing facility in the US, which will be deployed in 2 phases, will employ approximately 900 direct new full-time employees within the first 5 years and would represent an estimated \$135,000,000 investment in capital expenditure. The first phase would begin early 2022, employing 500 new people and representing a \$110,000,000 investment. The project will mainly consist of putting in place assembly lines for the manufacturing of solar modules. The second phase, which should begin in 2023 and end in 2024, will employ 400 new people and represent a \$25,000,000 investment in capital. It consists in the production of PV solar cells, which are used to convert sunlight into direct electricity and are grouped together to make solar modules.

Type of Operation Manufacturing

Type of Product or Service solar modules and PV solar cells

Project NAICS Code (as it pertains to the activity at the project facility - **NOT necessarily** the NAICS code for the company as a whole)

334413 Semiconductor and Related Device Manufacturing

Primary NAICS Corresponding NAICS Description

Secondary NAICS Corresponding NAICS Description

Potential North Carolina location(s) for the Project (county and city/town):

Gastonia (Gaston County)

## Exhibit 8.1 Gaston County Project Summary Form (FOIA)

**Key Dates:** Enter the date that the Company anticipates:

a. Making the decision whether to locate the Project in NC	11	2021
b. Making the initial capital investment related to the Project	12	2021
c. Starting construction, expansion, or renovation/upfit of the Project facility	1	2022
d. Hiring the first job related to the Project	1	2022
e. Commencing operations at the Project facility	1	2023

### New Jobs By Year

2022	2023	2024	2025	2026	3-Year TOTAL	5-Year TOTAL	Average Wages	
174	204	184	113		562	675	Avg. Annual Wage of ALL 675 New Jobs	Minimum Avg. Annual Wage of Jobs
							\$42,158	\$42,158

### New Investment By Year

	2021	2022	2023	2024	2025	3-Year TOTAL	5-Year TOTAL
Real Property	\$12,500,000	\$12,500,000	\$5,000,000	\$2,600,000	\$0	\$30,000,000	\$32,600,000
Tangible Personal Property	\$42,500,000	\$42,500,000	\$30,000,000	\$11,000,000	\$0	\$115,000,000	\$126,000,000
<b>Total Investment</b>	<b>\$55,000,000</b>	<b>\$55,000,000</b>	<b>\$35,000,000</b>	<b>\$13,600,000</b>		<b>\$145,000,000</b>	<b>\$158,600,000</b>

Does the company have the internal capacity or secured the financing necessary to carry out the entire project? Yes

Will the company own or lease the project facility? Lease

Will the project involve the expansion of an existing company facility or a new location for the company? New company location - purchase/lease

Does the project involve the reduction in workforce from, or closure of, a facility located in North Carolina? No

Does the project involve the reduction in workforce from, or closure of, a facility located elsewhere in the United States? No

Will the company offer health insurance for the new jobs? Yes Will the company pay at least 50% of the premium for the employee? Yes

### COMPETITION

List the locations outside North Carolina that are being considered for the project (provide the city/region and state/country).

South Carolina Tennessee

Explain in detail the competitive nature of the project:

Among the key decision factors, labor, logistics, regulatory ease, utilities and incentives will all be important criteria in the site selection process. The company is looking for a large pool of production workers, as well as good access to inbound and outbound land transportation corridors. Speed to market is important and communities with fast-track permitting processes and low regulatory requirements will be prioritized. Finally, incentives will play a major role given the level of capital investment required.

### CONSULTANT DISCLOSURE AND CONTACT INFO

Has the company engaged a consultant(s) to assist with exploring and/or securing incentives from the State of North Carolina? Yes

#### Company Contact (primary)

a. Name	b. Title
c. Mailing Address	d. Phone
	f. Email Address

#### Consultant (if applicable)

a. Name	b. Company/Organization
Guillaume Sabourin	CAI Global
c. Mailing Address	d. Title
615, Boulevard René-Lévesque Ouest	Consultant
Bur. 1120, Montréal (Québec) H3B 1P5	e. Phone
	(514) 982-0095, ext. 226
	g. Email Address
	<a href="mailto:g.sabourin@caiglobal.com">g.sabourin@caiglobal.com</a>

g. Names of other employees or agents assisting with the project  
Marc Beauchamp, Patrice Rollin







## Exhibit 8.2 Zoning Verification Process and Site Plan Review for Stateline

---

**From:** Rutland, Jason [REDACTED]  
**Sent:** Friday, January 6, 2023 11:20 AM  
**To:** Reinhardt, Josh; Treff MacDonald; Alex Ghusein; Chow, Tran  
**Cc:** Swenson, David  
**Subject:** Silfab/York County - Zoning Verification Process and Site Plan Review for Stateline 77 (Fort Mill)  
**Attachments:** attachment.ics

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**From:** Reinhardt, Josh [REDACTED]  
**Sent:** Friday, January 6, 2023 10:12 AM  
**To:** Treff MacDonald [REDACTED]; Rutland, Jason [REDACTED]  
**Cc:** Swenson, David [REDACTED]; Alex Ghusein [REDACTED]  
**Subject:** RE: Silfab/York County - Zoning Verification Process and Site Plan Review for Stateline 77 (Fort Mill)

Good morning,



## Exhibit 8.2 Zoning Verification Process and Site Plan Review for Stateline

I am available at both of those times and would be happy to discuss how we can help the project move forward.

Regarding the requirement for a set of plans showing any improvements on the site, this is standard when buildings are proposed to be occupied by a different use than initially approved for. This building was approved as warehouse, so a change to manufacturing with outdoor storage and many more employees than initially anticipated would trigger the need for revised plans. This is to illustrate that the proposed use will function properly on the site. From a quick glance, I think the two main areas of concern would be the location of the outdoor storage and how parking would be addressed. There appears to be 288 parking spaces on the site, and I understand there will now be over 1000 employees while the initial site plan was anticipated for warehouse with 150 employees. Where will the outdoor storage tanks be located, and will the proposed location(s) impact any vehicle circulation or cause any building code related issues?

All things that are typically worked out rather easily. For example, I would assume some of the current semi-truck parking could be reconfigured to address the increased need. However, this, and any other site additions/changes, are all things that a design professional, such as a civil engineer, would address on the revised plans that are submitted to us for review.

In addition, you are correct in that many of the actual site plan improvements listed with our Civil Construction Plan Summary and Development Guide have already been completed when the site was developed. So, even though it may seem onerous, this should not be a very large undertaking.

I hope that helps clarify things a bit, and I look forward to speaking with you all either Monday morning or at 1:00 this afternoon.

Thanks,  
Josh

**Josh Reinhardt**

Development Services Manager

Permit Services

Planning and Development

York County Government

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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## Exhibit 8.2 Zoning Verification Process and Site Plan Review for Stateline

---

**From:** Treff MacDonald [REDACTED]  
**Sent:** Friday, January 6, 2023 8:42 AM  
**To:** Rutland, Jason [REDACTED]; Reinhardt, Josh [REDACTED]  
**Cc:** Swenson, David [REDACTED]; Alex Ghusein [REDACTED]  
**Subject:** RE: Silfab/York County - Zoning Verification Process and Site Plan Review for Stateline 77 (Fort Mill)

**WARNING: The email below is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.**

---

Good day Jason,  
I prefer a 1 pm today or a Monday meeting between 9-10 am.  
Thanks

---

**From:** Rutland, Jason [REDACTED]  
**Sent:** January 5, 2023 2:45 PM  
**To:** Reinhardt, Josh [REDACTED]  
**Cc:** Swenson, David [REDACTED]; Alex Ghusein [REDACTED] Treff MacDonald [REDACTED]  
**Subject:** Silfab/York County - Zoning Verification Process and Site Plan Review for Stateline 77 (Fort Mill)

**Caution: This is an external email**

Hi Josh,

Great to meet you virtually. As part of the Project were in receipt of the enclosed correspondence related to the Zoning for the property against Silfab's proposed use as a Solar (PV) Cell and Panel manufacturing facility.

It is noted in the verification letter that a Site Plan Review is required. As a next step, I'd like to arrange a meeting with you/your team and participation from Silfab to better understand these requirements and to be very precise in the information that we provide given expedient timelines that were trying to adhere to.

From what I can gather, I think the focus of a Site Plan Review would be on the amount and nature of outdoor storage of chemicals used in the production processes and perhaps focused on the makeup of the facilitation spaces and tank yard outdoors.

Silfab's law firm, who triggered the zoning verification process, also passed along this website link to me: <https://www.yorkcountygov.com/378/Civil-Construction-Plan-Review> which I've reviewed at the high level but admittedly on first blush the requirements seem too onerous for a site that is already constructed and is occupancy ready. Lets take the opportunity to clarify.

Treff, Alex, and I are flexible to meet tomorrow 1-3pm or 4pm onwards. On Monday, we are also flexible 9-10am or 12-2pm. All ET time zone. Let me know what works best for you, or suggest alternative times in the next 2-3 business days and we'll accommodate.

Best,

Jason

**Jason Rutland, CPA, CA**

Senior Vice President, Strategic Advisory

## Exhibit 8.2 Zoning Verification Process and Site Plan Review for Stateline

Strategy & Consulting Group

[View my profile](#)

Colliers

Mobile: [REDACTED]

181 Bay Street, Suite 1400 | Toronto, ON M5J 2V1 | Canada

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---

**From:** Swenson, David [REDACTED]

**Sent:** Thursday, January 5, 2023 1:36 PM

**To:** Reinhardt, Josh [REDACTED]; Rutland, Jason [REDACTED]

**Subject:** Introduction

**Importance:** High

Gentlemen,

By way of this email, I would like to introduce you both.

Josh,

Jason Rutland is with Colliers and is located in their Toronto office. He is working with Project Mountie that is considering leasing space at the Stateline 77 large building in Fort Mill. His client is a manufacturing operation looking to put in a production operation that would make solar cells and solar panels. He can tell you more about their operations. He has some specific questions he needs to talk to you about related to process and requirements of their client as they look to set up operations. Their operations will be an impact project for our area.

Jason,

Josh is the York County Development Services Manager for York County. He is our go to guy to help get things started with clients and helps you as you may start getting into the process with the county Planning and Development Department.

I have attached the contact information for you both so feel free to connect when possible.

**David Swenson, CEO**

Director

York County Economic Development

1830 Second Baxter Crossing | Fort Mill, SC 29708

[REDACTED]

[Website](#) | [Twitter](#) | [LinkedIn](#) | [Facebook](#)



**YORK COUNTY**  
ECONOMIC DEVELOPMENT  
SOUTH CAROLINA

The Location You Need.  
*The Life You Want.*

## Exhibit 8.2 Zoning Verification Process and Site Plan Review for Stateline

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**Think Green. Please don't print unless absolutely necessary.**

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## SECTION 9

### Closing

**Marissa Robbins**

Good evening, Chair and members of the York County Council,

I'm here tonight, along with many others, because we care deeply about the future of Fort Mill. Over the past several months, many new facts have come to light— facts that show that Silfab Solar is simply not light industrial. From the materials used, to the processes involved, to the scale of the operation, there's growing evidence that this project does not align with what our leaders expected or were told when the permits were first issued.

One of the qualities I admire most in leadership is the ability to adapt and respond when new information becomes available. It's not easy—but it is what earns the trust of the people. We believe that each of you have that quality. We also believe that your willingness to revisit decisions is part of what makes this council strong.

We aren't here tonight to assign blame—we're here to support the process of re-evaluation. We believe in your integrity.

So, we ask simply and respectfully: please take a fresh look. Review the facts and the concerns of what this facility entails. And consider whether Silfab being located where they currently are truly reflects the standards and expectations we all share for this community.

We look forward to you showing us what true leadership looks like when new information is provided. Please revoke the permits. Thank you.