

Decommissioning Plan – Top Hat Energy

July 3rd, 2026

Top Hat Energy, LLC (The Project Company), has prepared this Decommissioning Plan (Plan) for its proposed solar photovoltaic facility to be constructed on private property located at 2-6 Electric Drive, Moreau, NY.

The Plan describes the process for decommissioning the Facility in accordance with state and local requirements.

Facility Description

The Facility will consist of a 2,500-kilowatt (AC) capacity solar power-generating array secured within a chain-link fence surrounding the solar panels and equipment, accessed through a locked gate located inside the property. Each Facility will include the following site features:

- PV Modules, inverter(s), and transformer (filled with biodegradable mineral oil)
- Combiner boxes and switchgear
- Concrete pad(s)
- Screw or driven piles and racking to support the PV modules
- DC and AC wiring
- A gravel access drive
- Two metal personnel gates throughout the system fence line
- Overhead utility lines and poles

Stakeholders

	Role	Contact Information
Top Hat Energy, LLC	System Owner	Attn: Top Hat Energy, LLC 101 Summer St, Flr 2 Boston, MA 02110 Phone: 617.431.1440 Email: Legal@Nexamp.com
Town of Moreau – Code Enforcement	Town zoning Enforcement and Site Inspection	351 Reynolds Road, Moreau, NY 12828 Phone: 518-792-1030 ext. 5
Town of Moreau – Planning Board	Site Plan Jurisdiction	Town Planning Board 351 Reynolds Road, Moreau, NY 12828 Phone: 518-792-1030
Town of Moreau – Town Board	Decommissioning Bond Holder	Town Board 351 Reynolds Road, Moreau, NY 12828 Phone: 518-792-1030
National Grid	Utility Operator	Distributed Generation Office 300 Erie Boulevard West, Syracuse, NY, 13202 Phone: 1-800-642-4272

All listed stakeholders will receive a copy of the decommissioning plan when executed, and will receive revised copies when revisions are made. All subsequent changes to the Decommissioning Plan will need to be approved by the Town Board, and recorded with the County Clerk upon execution.

Expected Lifetime

Top Hat Energy, LLC has a land purchase agreement with the owner of the parcels in question and intends to operate the system for its entire life span of approximately 40 years. Panels are warranted for 25 years, and the Project Company anticipates the replacement of inverters with equivalent models as necessary. The project is expected to operate for a bare minimum of 25 years, but is expected to operate for the full term of useful life.

Decommissioning Plan

The Facility will be decommissioned by completing the following major steps: Dismantlement, Demolition, and Disposal or Recycle; and Site Stabilization, as further described below. In addition to the tasks outlined below, the Project Company agrees that all Decommissioning obligations will be done in accordance with NYS Department of Agriculture and Markets Guidelines, as set forth in the NYSDAM Guidelines for Agricultural Mitigation for Solar Energy Projects (Revised October 18th, 2019), Hereto attached as Exhibit A to this agreement.

The Project Company has the sole responsibility to remove the system per the terms of this agreement. Should The Project Company be sold or transferred, all Decommissioning responsibilities will transfer to the owning entity. Should the Project Company fail to complete its decommissioning obligations, a surety will be provided to the Town to pay for the costs associated with Decommissioning the system.

Dismantlement, Demolition, and Disposal or Recycle

A significant portion of the components that comprise each Facility will include recyclable or re-saleable components, including copper, aluminum, galvanized steel, and modules. Due to their re-sale monetary value, these components will be dismantled, disassembled, and recycled rather than being demolished and disposed of. Typically, salvage value is taken into account when estimating net decommissioning costs. Nexamp has proceeded to omit those costs to alleviate concerns about recycling availability and market instability.

Following coordination with National Grid ("Utility") regarding timing and required procedures for disconnecting each Facility from the utility distribution network, all electrical connections to the system will be disconnected and all connections will be tested locally to confirm that no electric current is running through them before proceeding. All electrical connections to the PV modules will be severed at each module, and the modules will then be removed from their framework by cutting or dismantling the connections to the supports. Modules will be removed and sold to a purchaser or recycler. In the event of a total fracture of any modules, the interior materials are

silicon-based and are not hazardous. Disposal of these materials at a landfill will be permissible.

The PV mounting system framework will be dismantled and recycled. The metal piles will be removed from their approximated depth of four feet and recycled. All other associated structures will be demolished and removed from the site for recycling or disposal. This will include the site fence and gates, which will likely be reclaimed or recycled.

Grade slabs will be broken and removed to a depth of one foot below grade, and clean concrete will be crushed and disposed of off-site or recycled (reused either on- or off-site). The portion of the gravel access road created specifically for the project, will be removed as well.

Aboveground utility poles owned by The Project Company will be completely removed and disposed of off-site in accordance with utility best practices. Any overhead wires will be removed from each Facility and will terminate at the utility-owned connections inside the property. The access road will remain in place to the final utility-owned electrical poles and the Utility will be responsible for dismantling those overhead wires and poles under its ownership. Coordination with The Utility, personnel will be conducted to facilitate removal of any poles and overhead wires located on the site.

A final site walkthrough will be conducted to remove debris and/or trash generated during the decommissioning process, and will include removal and proper disposal of any debris that may have been wind-blown to areas outside the immediate footprint of each Facility being removed.

Road Removal

All access road materials will be removed, and graded areas will be returned to grade using local soils stockpiled during construction. Re-graded area will be seeded and stabilized immediately upon completion.

Stormwater Feature Removal

All stormwater features will be removed and regraded. Where appropriate, vegetation will be removed and all stormwater features will be filled with local soils stockpiled during construction. Re-graded area will be seeded and stabilized immediately upon completion.

Screening Removal

Removal of screening will be conditional based on Town feedback at the time of Building Permit Review. Without explicit town approval All vegetative screening features will remain on site following Decommissioning. Should removal be mandated, screening will be disposed of offsite in an appropriate manner. Where appropriate and necessary, soil

depressions will be filled with local soils stockpiled during construction. Re-graded area will be seeded and stabilized immediately upon completion.

Site Stabilization

The areas of each Facility that are disturbed during decommissioning will be re-graded to establish a uniform slope and stabilized via hydroseeding with a ground treatment approved by the Building Inspector.

Permitting Requirements

Given the size and location of each Facility, several approvals will be obtained prior to initiation of the decommissioning process. Table 1 provides a summary of the expected approvals if the decommissioning were to take place in January 2023. Noting that the decommissioning is expected to occur at a much later date, the permitting requirements listed in the table below will be reviewed at that time and updated based on then current local, state, and federal regulations.

Table 1. Current Permitting Requirements for Decommissioning

Permit	Agency	Threshold/Trigger
State Pollutant Discharge Elimination System (SPDES) General Permit for Discharges from Construction Activity	New York State Department of Environmental Conservation (NYSDEC)	Ground disturbance of greater than 1 acre with discharge to wetlands or water bodies. Requires preparation of a Stormwater Pollution Prevention Plan, including erosion and sedimentation controls.
Building Permit	County Building Department	A building permit must be obtained for any construction, alteration, repair, demolition, or change to the use or occupancy of a building.

Proposed Schedule

Decommissioning activities shall commence once National Grid has confirmed the facility has been safely disconnected from the electric system. The decommissioning work shall continue for a period of up to 180 days, provided that if such 180 day term begins or ends within the months of December, January, February, March, or April, the decommissioning period shall extend to the next-occurring July 31.

Decommissioning Surety Proposal – Top Hat Energy, LLC

July 3rd, 2026

Consistent with the requirements listed in the Town of Moreau’s Zoning Code, Top Hat Energy, LLC (the Project Company), offers to provide a decommissioning surety bond, to be posted prior to the commercial operation date, in the amount of \$114,723 for decommissioning of the solar system in the unlikely event that the Project Company is unable to meet its contractual obligations for solar project removal and restoration.

The decommissioning bond, of which the Project Company will serve as the principal and the Town of Moreau shall serve as the as the obligee, starting at the commercial operation date, shall remain in place for the life of the system and for 18 months following the removal of the system. The Town shall have the right to draw on this bond should it be made aware that the system has not produced energy and conveyed it to the electric grid after initial commissioning. Upon drawing on the balance of the bond, the Town assumes responsibility for the decommissioning of the system.

In developing the decommissioning surety bond, the Project Company utilized both a recent decommissioning cost estimate from similar Community Solar project as well the NYSERDA Guidebook – Decommissioning Solar Panel Systems, to propose a \$30,000/MWac cost. The NYSERDA Guidebook chapter is attached to this proposal as Exhibit B. As this estimate was created in 2016, the proposed cost has been adjusted for inflation using standard CPI calculation.

This bond will be reviewed every five years until which time the Project Company’s decommissioning obligations have been fulfilled. The Project Company agrees to submit revised removal cost estimates to the Town and the bond company on five-year intervals. Posted bonds will reflect this estimate for the next five years, until which time the costs of removal are reassessed.

The bond’s start date shall occur prior to issuance of a building permit. The bond has no set term, and will remain in place for until 18 months following system removal.

Below is a summary of the analysis:

Project Size (MWac)	2.50
NYSERDA Decommissioning Cost- Year 1	\$ 75,000
Inflation Adjustment	\$29,723
Contingency (10%)	\$10,000

Total

\$ 114,723

[Signatures on the following page]

Top Hat Energy, LLC agrees that if the surety is not renewed or cancelled it will forfeit its Certificate of Occupancy and right to continue to operate until a replacement surety has been posted.

Town of Moreau, NY

Authorized Signature:

Name: Richard Lane

Title: Supervisor

Top Hat Energy, LLC

Authorized Signature:

Name: Chris Clark

Title: SVP

EXHIBIT A – NYSDAM GUIDELINES
[Attached]

EXHIBIT B – NYSERDA Solar Guidebook – Decommissioning Solar Panel Systems
[Attached]