

SB 316 -- Redline

File No. 220 to APP Joint Favorable -- AN ACT CONCERNING THE TESTING OF SOILS AT CERTAIN SOLAR FACILITIES.

Deletions ~~struck~~ · Insertions underlined

~~Senate~~ General Assembly ~~File~~Substitute Bill No.

~~220~~316 February Session, 2026 ~~Substitute~~AN ~~Senate~~ACT ~~Bill~~CONCERNING ~~No.~~THE TESTING OF SOILS AT CERTAIN SOLAR FACILITIES.

~~316 Senate, March 30, 2026 The Committee on Environment reported through SEN. LOPES of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.~~

~~AN ACT CONCERNING THE TESTING OF SOILS AT CERTAIN SOLAR FACILITIES.~~

The Department of Energy and Environmental Protection shall prescribe the parameters and requirements of such soil test and the results of such soil test shall be submitted by the applicant or petitioner, as applicable, to the Siting Council and to the Department of Energy and Environmental Protection prior to the issuance of any such certificate or declaratory ruling and in accordance with any procedures established by the Siting ~~sSB316~~Council ~~and~~ ~~File~~department ~~No.~~for submission of such soil test results.

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~~220 Council and department for submission of such soil test results.~~

Such second soil test shall determine the presence of the same contaminants tested for in ~~connection~~LCO ~~with~~1 ~~the~~of ~~application~~2 ~~for~~Substitute a ~~Bill~~ ~~certificate~~No. ~~or petition for a declaratory ruling for such facility, as applicable.~~

316 connection with the application for a certificate or petition for a declaratory ruling for such facility, as applicable.

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~~220 The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose.~~

~~In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge.~~

~~Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.~~

~~OFA Fiscal Note State Impact:~~

~~Agency Affected Fund Effect FY 27 \$ FY 28 \$ Department of Energy and GF Cost 131,304 81,304 Environmental Protection State Comptroller Fringe GF Cost 34,001 34,001 Benefits1 CT Siting Council SCF Cost 50,000 None Note:~~

~~GF=General Fund;~~

~~SCF=Siting Council Fund Municipal Impact:~~

~~None Explanation The bill requires certain applicants and petitioners for solar photovoltaic facilities to conduct soil tests at proposed locations.~~

~~This results in a cost to the state of approximately \$215,305 in FY 27 and \$115,305 annually, thereafter.~~

~~Under the bill, the Department of Energy and Environmental Protection (DEEP) and the Connecticut Siting Council (CSC) are responsible for ensuring that applicants and petitioners meet the new requirements of the bill.~~

~~It is estimated that DEEP will require one full time Environmental Analyst 2, with an annual salary of \$81,304 and corresponding fringe benefits of \$34,001.~~

~~The new position will be responsible for overseeing soil collection and working with operators of solar photovoltaic facilities to ensure that requirements of the bill are met. The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller.~~

~~The estimated active employee fringe benefit cost associated with most personnel changes is 41.82% of payroll in FY 27.~~

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~~220 being met.~~

~~Additionally, both DEEP and the CSC will incur one-time environmental consulting fees (estimated to be \$50,000 each based on similar contracts).~~

~~The scope of DEEP's consulting work will include educating involved parties in site investigation and certification procedures, and the CSC will require a consultant to help develop guidelines for applicants and petitioners to provide soil testing results prior to certificate and declaratory ruling submissions, as well as requirements to ensure additional testing after two years, which is required by the bill.~~

~~The Out Years The annualized ongoing fiscal impact identified above would continue into the future subject to inflation, except for the consulting fees which would be one time in nature.~~

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~~220 OLR Bill Analysis sSB 316 AN ACT CONCERNING THE TESTING OF SOILS AT CERTAIN SOLAR FACILITIES.~~

~~SUMMARY This bill requires parties seeking the Siting Council's approval for solar photovoltaic facilities with capacities of at least two megawatts to ensure that soil tests are conducted at the facility's proposed location.~~

~~The requirement applies when they are seeking the council's approval for a certificate of environmental compatibility and public need (see BACKGROUND), including through a declaratory ruling.~~

~~The tests must determine the presence of contaminants, including degraded heavy metals and toxic substances (for example, cadmium, lead, arsenic, and zinc).~~

~~Under the bill, the Department of Energy and Environmental Protection (DEEP) must set the parameters and requirements for these soil tests.~~

~~Applicants and petitioners must submit the test results (1) to the Siting Council and DEEP before a certificate or declaratory ruling is issued and (2) following the procedures DEEP and the Siting Council establish.~~

~~At least two years after the first soil test, the bill requires the facilities' owners or operators to ensure a second test is conducted according to DEEP's parameters and requirements.~~

~~The second test must look for the same contaminants described above and be submitted to the Siting Council and DEEP according to any procedure they set for second tests.~~

~~Under the bill, the respective applicant, petitioner, owner, or operator must pay for the soil tests.~~

~~EFFECTIVE DATE:~~

~~October 1, 2026 sSB316 / File No.~~

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~~220 BACKGROUND Environmental Compatibility and Public Need Certificates By law, a certificate of environmental compatibility and public need is generally required for certain activities that the Siting Council determines may have a substantial adverse environmental effect, including exercising eminent domain, preparing a site, beginning facility construction or modifications, or supplying a facility (CGS Sec. 16-50k).~~

~~Among other things, "facilities" generally includes those that generate or store electricity.~~

~~COMMITTEE ACTION Environment Committee Joint Favorable Substitute Yea 32 Nay 2 (03/13/2026) sSB316 / File No.~~

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