



Senate

General Assembly

File No. 220

February Session, 2026

Substitute Senate Bill No. 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.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2026*) Notwithstanding any
2 provision of chapter 277a of the general statutes, any applicant for a
3 certificate, or petitioner for a declaratory ruling, pursuant to section 16-
4 50k of the general statutes, for a solar photovoltaic facility with a
5 capacity of two or more megawatts shall cause a soil test to be conducted
6 at the proposed location for such facility to determine the presence of
7 contaminants, including, but not limited to, degraded heavy metals and
8 toxic substances such as cadmium, lead, arsenic and zinc. The
9 Department of Energy and Environmental Protection shall prescribe the
10 parameters and requirements of such soil test and the results of such soil
11 test shall be submitted by the applicant or petitioner, as applicable, to
12 the Siting Council and to the Department of Energy and Environmental
13 Protection prior to the issuance of any such certificate or declaratory
14 ruling and in accordance with any procedures established by the Siting

15 Council and department for submission of such soil test results. Not
 16 earlier than two years after the construction of any such facility, the
 17 owner or operator of such facility shall cause a second such soil test to
 18 be conducted at the location of such facility. Such second soil test shall
 19 determine the presence of the same contaminants tested for in
 20 connection with the application for a certificate or petition for a
 21 declaratory ruling for such facility, as applicable. Such second soil test
 22 shall be conducted in accordance with the parameters and requirements
 23 prescribed by the department for such second soil test. The results of
 24 such second soil test shall be submitted by the owner or operator of such
 25 facility to the Siting Council and the department in accordance with any
 26 procedures established by the Siting Council and the department for the
 27 submission of such second soil test results. The cost of any soil test
 28 conducted pursuant to the provisions of this section shall be assumed
 29 by such respective applicant, petitioner, owner or operator.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2026	New section

ENV Joint Favorable Subst.

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 Environmental Protection	GF - Cost	131,304	81,304
State Comptroller - Fringe Benefits ¹	GF - Cost	34,001	34,001
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

¹The 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.

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.

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

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 § 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)