

Environment Committee JOINT FAVORABLE REPORT

Bill No: SB-316 / [Bill Status](#) / [Public Hearing Testimony](#)

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

Vote Date: 3/13/2026

Vote Action: Joint Favorable Substitute

PH Date: 3/4/2026

File No.:

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SPONSORS OF BILL:

Environment Committee

CO-SPONSORS:

Sen. John A. Kissel, 7th Dist.

Rep. Geraldo C. Reyes, 75th Dist.

REASONS FOR BILL:

To require the Department of Energy and Environmental Protection to develop a new program and conduct soil testing biennially at utility scale solar arrays in the state to provide remediation for any contamination, recover associated costs from the applicable responsible parties, and notify the public or future owners of the test results and land records.

SUBSTITUTE LANGUAGE (IF APPLICABLE):

Substitute language requires applicants for certain large solar photovoltaic facilities to conduct and submit soil contamination testing before approval, mandates follow-up testing after construction, and assigns responsibility for testing costs to the applicant or facility owner.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Connecticut Department of Energy & Environmental Protection

DEEP has concerns regarding this bill but welcomes the committee to speak with them about their concerns, also inviting the Connecticut Siting Council to engage in any further discussions. DEEP's concerns are with the proposal as drafted, citing the Department's preexisting provisions and statutes that share a common theme of requiring the potentially

responsible party to lead an investigation and cleanup of pollution releases. Most of these programs require action when a release occurs or has likely to have occurred, and the use of a solar array may not meet this threshold. Their next concern is that as drafted, the bill would require the state to conduct action on private property without first finding that there is a violation of a state environmental law or rule. Despite specific rights to enter a property to investigate, this action would not meet the carefully implemented standard. The department would then be challenged to determine the responsible party, should testing find potential releases. This is particularly important for solar arrays that have been sited on previously impaired properties, like landfills or brownfields. The proposed language calls for the remediation of contamination, including groundwater for remediation and the ability for the Department to recover those costs. Without fully understanding the origins of the pollution, the department may incur costs without a clear entity from which to seek recovery. The bill may enable permanent land use restrictions on private property without owner consent, violating established statutory and constitutional frameworks. Such measures raise due process concerns regarding potential diminishment of property value and the violation of owner rights. The bill would also create a new program, which the Governor's budget does not include funding for, creating an additional, recurring financial burden since they must repeatedly test and clean up the same property every two years for as long as the solar panels remain.

NATURE AND SOURCES OF SUPPORT:

Senator John A. Kissel, State of Connecticut, 7th District

Senator John Kissel writes in support of S.B. 316, stating that it requires the state to develop a program for the biennial testing of soil for contaminants, including, but not limited to, degraded heavy metals and toxic substances such as cadmium, lead, arsenic and zinc at utility-scale solar arrays in the state. The state's program would include the disclosure of soil test results to the owner of the subject property. The provision for the remediation of any such contamination, including any attendant groundwater remediation, and recovery of associated costs from the applicable responsible parties. Public notification, including any requisite land record recording, of such test results and effects of such remediation such as any land use restriction or other limit on the utilization of such property.- All of which addresses local constituents concerns.

The following members of the Enfield Inland Wetlands Commission state the following in support of the bill. It is important to be preemptive when making sure there are no harmful consequences to the soil and groundwater from the solar arrays, because their effects are still unknown. They mention that despite the cost of new testing, early detection would ultimately save money versus widespread cleanups.

Kelly Hemmler, Enfield Resident/Member, Enfield Inland Wetlands Commission
Donna Corbin Sobinski, Enfield Resident/Member, Enfield Inland Wetlands Commission

NATURE AND SOURCES OF OPPOSITION:

Francis Pullaro, President, RENEW Northeast Inc.

Pullaro, on behalf of RENEW opposes the bill, saying solar panels do not contain sufficient hazardous materials to pose danger. He deems it unnecessary and provides a fact sheet on solar panel safety, explaining that solar panels are safe in worst-case conditions of

abandonment or damage in a disaster. He agrees with DEEP that the committee may want to consider the environmental risks of other industrial or consumer products, and that the bill may face some legal difficulties with implementation.

Pete Myers, Senior Policy Director, CT Business & Industry Association (CBIA)

Director Myers opposes the bill, concerned with how the bill fails to provide clear direction on how responsibility for soil contamination is to be determined, particularly where contamination may be pre-existing or unrelated to solar development. Noting that the lack of clarity creates uncertainty, increases legal risk, and may discourage investment in renewable energy projects across the state. He is also concerned testing would lead to increased costs and slow down development.

The following people are organizations also oppose this bill from similar concerns related to “Utility Scale” projects with not definition of parameters and questioning on the affects it would have on previously disrobed land. As well as, noting that it seems to duplicate ongoing federal research on soil health and places financial burdens on ratepayers.

Jeff Hintzke, Vice President of Policy, Greenskies Clean Energy

Mike Trahan, Executive Director, Connecticut Solar & Storage Association (CONNSSA)

Reported by: Daniela Mancini & Luna Romani

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